

Project Name

Tenant Selection Plan for HOME-ARP Funded Supportive Housing

SECTION I – RESIDENT SELECTION

1.1 PROJECT DESCRIPTION:

Project Name is a 100% permanent supportive housing project consisting of **(# of units)** units of **(# of bedrooms)** bedroom apartments. Applicants for **Project Name** will be selected from the **(Indiana Balance of State/Indianapolis)** Coordinated Entry System.

The Development Team

Owner: **OWNER**

Service Provider: **SERVICE PROVIDER**

Property Management: **PROPERTY MANAGEMENT**

The Development Team, **OWNER**, **SERVICE PROVIDER** and **PROPERTY MANAGEMENT**– all recognize that The United States Interagency Council on Homelessness calls Housing First, “a proven approach in which people experiencing homelessness are provided with permanent housing directly and with few to no treatment preconditions, behavioral contingencies, or barriers.” As such they are committed to applying the Housing First approach in the development which includes the following elements:

- Tenants have full rights, responsibilities, and legal protections under Federal, state, and local housing laws, tenants are educated about their lease terms, given access to legal assistance, and encouraged to exercise their full legal rights and responsibilities, and landlords and providers abide by their legally defined roles and obligations; and
- Admission/tenant screening and selection practices affirm that acceptance of applicants regardless of their sobriety, use of substances, completion of treatment, and participation in services; and
- Applications are seldom rejected for poor credit or financial history, poor or lack of rental history, minor criminal convictions, or behaviors that indicate a lack of “housing readiness”; and
- Supportive services emphasize engagement and problem-solving over therapeutic goals, service plans are tenant-driven without predetermined goals, and participation in services or program compliance are not a condition of tenancy (except as required by federal requirements); and



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- Use of drugs or alcohol in and of itself is not considered a reason for eviction, unless a requirement under a federal program; and
- The Tenant Selection Plan includes a prioritization of eligible tenants based on vulnerability as determined by the Coordinated Entry System; and
- Permanent supportive housing tenants are given reasonable flexibility in paying their tenant share of rent on time and offered special payment arrangements for rent arrears and/or assistance with financial management; and
- A harm reduction philosophy, where tenants are offered education regarding how to avoid risky behaviors and engage in safer practices, is in place; and
- Units may include special physical features that accommodate disabilities, reduce harm, and promote health among tenants; and
- Every effort is made to avoid eviction.

1.2 TARGET POPULATION:

Homelessness

Project Name will dedicate 100% of supportive housing units to the most vulnerable household(s) experiencing homelessness as defined by the local Coordinated Entry System and all households will contain at least one member who is experiencing homelessness as defined by the HOME American Rescue Plan (“HOME-ARP”) Qualifying Population 1 or 3.

HOME-ARP Qualifying Population #1: Homeless

1. An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - i. An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - ii. An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, State, or local government programs for low-income individuals); or
 - iii. An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
2. An individual or family who will imminently lose their primary nighttime residence, provided that:
 - i. The primary residence will be lost within 14 days of the date of application for homeless assistance;



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- ii. No subsequent residence has been identified; and
 - iii. The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing.
3. Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
- i. Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
 - ii. Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
 - iii. Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
 - iv. Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment

HOME-ARP Qualifying Population #3: Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD.

For HOME-ARP, this population includes any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. This population includes cases where an individual or family reasonably believes that there is a threat of imminent harm from further violence due to dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return or remain within the same dwelling unit. In the case of sexual assault, this also includes cases where an individual reasonably believes there is a threat of imminent harm from further violence if the individual remains within the same dwelling unit that the individual is currently occupying, or the sexual assault occurred on the premises during the 90-day period



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preceding the date of the request for transfer.

Domestic violence, which is defined in 24 CFR 5.2003 includes felony or misdemeanor crimes of violence committed by:

- 1) A current or former spouse or intimate partner of the victim (the term “spouse or intimate partner of the victim” includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship);
- 2) A person with whom the victim shares a child in common;
- 3) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- 4) A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving HOME-ARP funds; or
- 5) Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating violence which is defined in 24 CFR 5.2003 means violence committed by a person:

- 1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 2) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. The length of the relationship;
 - b. The type of relationship; and
 - c. The frequency of interaction between the persons involved in the relationship.

Sexual assault which is defined in 24 CFR 5.2003 means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

Stalking which is defined in 24 CFR 5.2003 means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- 1) Fear for the person’s individual safety or the safety of others; or
- 2) Suffer substantial emotional distress.

Human Trafficking includes both sex and labor trafficking, as outlined in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7102). These are defined as:

- 1) Sex trafficking means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- 2) Labor trafficking means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.



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1.3 ELIGIBILITY AND SCREENING CRITERIA

Income Limits

Project Name will house individuals based on the following unit sizes and income levels:

AMI Level	0 BR	1 BR	2 BR	3 BR	4+ BR
20%	# of units				
30 %					
40%					
50%					
60%					
70%					
80%					

Student Status

IF HOME FUNDED All applicants must meet the eligible student status definition applicable to the HOME Investment Partnerships Program per 24 CFR 92.2 and 24 CFR 5.612.

IF PROJECT BASED VOUCHER PROJECT All applicants must meet the eligible student status definition applicable to the Section 8 Project Based Voucher Program per 24 CFR 5.612.

Occupancy Standards

Please include occupancy standard (number of people per unit) information in this section subject to any local ordinances.

Minimum Income Requirements

If your project will require minimum income, please include the information in this section.

Citizenship Requirements

If your project will have citizenship status requirements, please include the information in this section.

IF PROJECT BASED VOUCHER PROJECT All applicants must be a citizen or a noncitizen who has eligible immigration status as determined in accordance with 24 CFR part 5, subpart E.

Credit Check Requirements



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If your project will require a credit check, please include the information in this section. Not recommended for 100% PSH projects

Criminal Background Check Requirements

[PROPERTY NAME] will conduct a limited criminal history screening for the applicant and household members who are 18 years of age or older. The screening will consider the following items:

Programmatic Criteria [This list includes criteria for Project-Based Housing Choice Vouchers. Modify as needed for your property]

- a. Convictions for manufacturing methamphetamine on the premises of federally assisted housing.
- b. Applicant cannot be subject to a lifetime registration requirement under a State sex offender registration program.

Property Specific Criteria

- c. Felony convictions in the last three years that fall into the following categories:
 - i. [list the types of felony convictions you will screen for (e.g., violent crimes, sex offenses, arson, etc.). Be as specific as possible and use appropriate terminology derived from the Indiana Criminal Code.]

The screening **will not** consider arrests, pending charges, expunged convictions, convictions reversed on appeal, vacated convictions, offenses where adjudication was withheld or deferred, pardoned convictions, sealed juvenile records, or convictions for offenses not outlined above. Additionally, the screening **will not** consider an applicant's probation or parole status.

All criminal records will be reviewed on a case-by-case basis for approval, except for convictions that violate the programmatic criteria, which will be automatically denied. Potential denials will be reviewed by a designated screening committee made up of housing management and supportive services staff [you may further define membership here].

Individualized Assessment

If an applicant has a conviction which could exclude them from renting, the screening committee will conduct an individualized assessment of their criminal history to determine whether the applicant will be able to fulfill their obligations of tenancy at the property. The individualized assessment will consider the following:

- 1) The circumstances surrounding the crime.
- 2) Whether the nature of the criminal offense was violent against a person or property or adversely affected the health, safety, and welfare of other people.
- 3) Whether a re-offense would impact the safety of other residents or the property



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- 4) The amount of time that has passed since the criminal offense.
- 5) The age of the individual at the time the crime was committed.
- 6) The amount of time that has lapsed since exit from incarceration.
- 7) The amount and nature of convictions, if any, since the criminal record in question.
- 8) Evidence of satisfactory tenant history or references since the commission of the crime.
- 9) Evidence of constructive community involvement.
- 10) Evidence of rehabilitation efforts (including during incarceration) and/or agency support to maintain stability.
- 11) Recommendation from the veteran's court program.
- 12) Whether the criminal conduct arose from the applicant's status as a survivor of domestic violence, sexual assault, stalking or dating violence, or from the applicant's disability, including mental illness.

Applicants will be given an opportunity to provide information to allow the committee to consider any circumstances which would serve to mitigate the criminal convictions within the applicant's criminal history. Applicants will be notified in writing the specific items of concern from the criminal history screening and given five business days to provide mitigating information.

If the evidence indicates that the applicant does not present a threat to the current residents, employees, or the property, the applicant will be approved for tenancy.

In the event the screening committee determines the applicant poses a significant risk to other residents, employees, or the property, the manager will add a note to the file indicating the factors which were considered to make the denial and notify the applicant in writing that the application is denied.

Previous Landlord Reference Requirements

If your project will require previous landlord references, please include the information in this section. Not recommended for 100% PSH projects

Please add any additional sections as needed to reflect your screening policy. This section should clearly spell out what findings constitute a rejection of application (e.g., do certain criminal charges or a certain credit score automatically disqualify the household?). Criminal background check policy must be compliant with the 2016 HUD Office of General Counsel guidance.

1.4 REFERRAL PROCESS

Project Name will coordinate with the **Indiana Balance of State/Indianapolis Coordinated Entry System** to receive appropriate referrals based on the applicable Coordinated Entry Policies and Procedures and project specific criteria. **The Indiana Balance of State/Indianapolis Coordinated Entry System** utilizes the Vulnerability Index-Service Prioritization Decision



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Assessment Tool (VI-SPDAT) to prioritize households experiencing homelessness and in need of supportive housing, with the goal to prioritize those with the greatest need. For each available unit, **The Indiana Balance of State/Indianapolis Coordinated Entry System** will refer the most vulnerable household on the prioritization list that meets project criteria. **Management Agent** will be responsible for ensuring that applicants meet project eligibility criteria.

There will be no waiting list for **Project Name**. Referrals will come from the **local Coordinated Entry System in (Region #) of the Indiana Balance of State Continuum of Care/Indianapolis Coordinated Entry System**.

Processing Referrals

The information in gray is dependent on local coordinated entry policies and procedures, please adjust to fit your local policies

Initial Lease-up: Applications will be accepted until the building is fully leased. The Coordinated Entry System will refer potential candidates to **Project Name** based on their place on the prioritization list. Those candidates will complete applications for the supportive housing units. Marketing of the non-supportive housing units will be the responsibility of the **Management Agent** and marketing of the supportive housing units will be the responsibility of the Coordinated Entry System.

On-Going Rental as units become available: When a unit becomes available, **Management Agent** will ask the Coordinated Entry System to refer an applicant. The Coordinated Entry System will maintain their own list of referrals for supportive housing programs. They will select the next applicant for each supportive housing opening.

Management Agent will attempt to contact the individual who is referred by the Coordinated Entry System, or contact their caseworker, by telephone or in person at least three times and record those attempts in the individual's file. On the same date that first contact is attempted by telephone or in person, a letter will be sent to the individual requesting they contact **Service Provider** within ten business days. If **Management Agent** does not receive a response to the contact attempts within ten business days from the date the letter was mailed, the individual will forfeit the opportunity to move into the available unit. If contact is made, an application meeting will be scheduled.

Management Agent will try to be as accommodating as possible in scheduling meetings, including walk-in meetings, for those willing to wait for an available time slot. Caseworkers, family members, and support staff may accompany a prospective tenant to any meetings for additional support. Every attempt will be made to assist those most in need in obtaining an available unit.



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When an appointment is missed, **Management Agent** will attempt to contact individuals or their caseworker by telephone or in person at least two times during the next 48-hour period and record those attempts in the file.

If **Management Agent** can contact the applicant, another appointment will be scheduled. **Management Agent** will attempt to schedule up to two (2) appointments. If the applicant misses the second appointment, the individual will forfeit the opportunity to move into the available unit. **Management Agent** will ask the Coordinated Entry System for a new referral.

1.5 THE APPLICATION PROCESS

Application Requirements

A complete application includes the following information:

1. A written application submitted by the applicant household;
2. Verification of identification;
3. Verification of income and assets, as applicable for each applicant household;
4. Verification of disability if not receiving SSI or SSDI.
5. ****Other requirements imposed by a rental assistance source (e.g. Social Security Number) or by the property****

Completion of Application Process

All applications will be processed within fifteen days of the date received, or within five business days of receipt of all required documentation, whichever is later (excluding weekends and designated Federal holidays).

1.6 REJECTING APPLICANTS

Applicants may be rejected if:

1. They do not meet the eligibility and screening requirements outlined in Section 1.3.
2. Household characteristics are not appropriate for the type of apartment available. For example, available accessible units must be first offered to households who necessarily require, but currently do not have the accessibility features, ahead of households with earlier application dates in accordance with Section 4.1.
3. Household size is not within occupancy standards for an available unit. If the property offers apartments that would be appropriate for the household size, the applicant is placed on a waiting list as defined in Section 1.4.

Management Agent will promptly notify the applicant of the rejection of the application for residency in writing and provide the applicant with an explanation including:

1. The steps to be taken to inquire as to the nature of the rejection; and



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2. That the applicant has 14 days to respond in writing to request a meeting to appeal the rejection.

Any meeting with the applicant to review the applicant's written response will be conducted by **Service Provider** and a member of **Management Agent** staff who did not make the decision to reject the applicant. In the event **Management Agent** recommends rejection and **Service Provider** does not agree, **Owner** would make the final decision and document the decision in writing. Persons with disabilities have the right to request reasonable accommodations to participate in the review process.

Disposal of Applicant or Resident Files

Applicant and resident files will be disposed of in a manner that will prevent any unauthorized access to personal information (e.g., burn, pulverize, or shred). Files must be maintained for the duration and in the format required by the applicable funding programs.

SECTION II – FAIR HOUSING AND EQUAL OPPORTUNITY

Project Name must comply with all federal, state, and local Fair Housing and civil rights laws and with all Equal Opportunity requirements regarding rental of housing. These requirements apply to:

1. Accepting and processing applications;
2. Selecting Residents from among eligible applicants on the waiting list;
3. Assigning apartments; and
4. Certifying and recertifying eligibility for assistance.

2.1 FEDERAL AND STATE LAWS

Discrimination is prohibited based on race, color, religion, sex, national origin, handicap, familial status, gender identity, sexual orientation, marital status, and ancestry.

2.2 VIOLENCE AGAINST WOMEN AND JUSTICE DEPARTMENT REAUTHORIZATION ACT (VAWA)

The Violence Against Women and Justice Department Reauthorization Act offers the following protections against eviction or denial of housing based on domestic violence, dating violence or stalking:

1. An applicant's status as a victim of domestic violence, dating violence or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.
2. An incident or incidents of actual or threatened domestic violence, dating violence or stalking will not be construed as serious or repeated violations of the lease or other "good cause" for terminating the assistance, tenancy, or occupancy rights of a victim of abuse.



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

2.3 AFFIRMATIVE FAIR HOUSING MARKETING PLAN

Project Name will comply with its approved Affirmative Fair Housing Marketing Plan (AFHMP). This plan outlines the marketing strategies the property must utilize to further Fair Housing. Management must update the Affirmative Fair Housing Marketing Plan at least every five years.

SECTION III - PRIORITIES CONCERNING APARTMENT TRANSFERS

An apartment transfer will be given to residents requesting or requiring a transfer to a different apartment due to change in household composition, or size; domestic abuse in accordance with VAWA; need for a deeper subsidy associated with a different unit; or an accommodation for a disability. Transfers will be made to current residents who meet the transfer criteria as stated above, and requested transfers will be prioritized in the following order:

1. Emergency Transfer request for Victims of Domestic Abuse in accordance with VAWA protections.
2. Transfer requested based on the need for an accessible apartment to accommodate a disability
3. Transfer requested for medical reasons as certified by a doctor.
4. Transfer requested due to change in household composition or size.
5. Transfers requested due to the need for deeper subsidy.

Depending on the circumstances of the transfer, the resident may be obligated to pay all costs associated with the move. A transfer for a program covered household must be handled in accordance with all regulatory guidelines. A voluntary transfer for a household not covered by a federal or state program with the property will include a charge to be applied to those residents transferring during the term of the lease. This charge will be an administrative fee plus the prorated rehabilitation costs.

Residents making voluntary transfers will be required to pay a new security deposit in advance of the transfer; with settlement of the old security deposit to be made within 30 days of the date the old apartment is vacated.

SECTION IV – ACCESSIBLE APARTMENTS

4.1 ACCESSIBLE APARTMENTS

To ensure that eligible persons with disabilities benefit from the particular accessibility feature of a specific apartment, a special priority approach to marketing will take place. When accessible apartments become available, the apartment will be offered in the following order:



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1. To current residents having disabilities who would benefit from the available apartment's accessibility features, but whose current apartment does not have such features.
2. To eligible and qualified households on the waiting list having disabilities that would benefit from the available apartment's accessibility features.
3. To other eligible and qualified households on the waiting list (i.e. without disabilities), in which case **Management Agent** will require the household to agree, in writing, to transfer to a non-accessible apartment at the landlords request should a household need the accessible features of the apartment.

When an accessible apartment becomes available, households which need (but currently do not have) the accessibility features assume a position at the top of the waiting list, ahead of households with earlier application dates.

SECTION V – REASONABLE ACCOMMODATION AND MODIFICATION

5.1 REASONABLE ACCOMMODATION/MODIFICATION OF APARTMENTS AND COMMON AREAS

1. Fair Housing Amendments Act of 1988: Reasonable accommodation of physical aspects of property. The Fair Housing Amendments Act of 1988 covers all properties with regard to the protection of households with children and persons with disabilities against discrimination. It mandates persons with disabilities be allowed to reasonably modify their apartment or project common area at their expense if it is necessary for the disabled person to fully enjoy it. It is advised to accept the applicant's or resident's own assessment of what is needed to allow accessibility. The Resident may be required to restore the interior of the apartment to the condition that existed before, if it will interfere with a future Resident's use of the premises (grab bars and widened door entrances are determined not to be an interference with a future Resident's use of premises). Additionally, requests for reasonable modification must be in writing and approval will be conditioned on assurances of the quality of workmanship.
2. Section 504 is a provision of the Rehabilitation Act of 1973 that covers all federally assisted properties with regard to discrimination against qualified persons with disabilities. It mandates that properties receiving federal assistance, if requested by an applicant or resident with disabilities, the housing provider must make a dwelling apartment (and common area) accessible, at the property's expense, unless to do so would result in a fundamental alteration or in an undue financial/administrative burden. Additionally, if a resident is being moved to a different apartment as reasonable accommodation to a household member's disability, then the property must pay for the move unless doing so would constitute an undue financial/administrative burden. If an accessibility modification is unreasonable, would result in a fundamental alteration or would result in an undue burden, Section 504 does not apply. However, the FHAA of 1988 provisions continue to be applicable specifically the housing provider must allow the modification to be made at the expense of the person with disabilities.



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5.2 REASONABLE ACCOMMODATION/MODIFICATIONS OF POLICIES AND PRACTICES

The Fair Housing Amendment Act of 1988 makes it illegal, on all properties, to refuse to make reasonable accommodations in rules, policies, practices, or services necessary to provide a disabled person equal opportunity to use and enjoy a dwelling. Reasonable accommodations might be: tactile signs, visual doorbells, oral presentation, and written material in large print or Braille. Housing providers are not required to provide individually prescribed items (i.e. hearing aids, etc.) or personal items (i.e. wheel chairs, etc.).

If a tenant's request for modifications to their unit or common area is denied, the **Management Agent** will promptly notify the tenant of the rejection of the request for the modification in writing and provide the tenant with an explanation including:

1. The steps to be taken to inquire about the reason for the rejection; and
2. That the tenant has 10 days to respond in writing to request a meeting to discuss the rejection and appeal.

Any meeting with the tenant to review the applicant's written response will be conducted by **Service Provider** and a member of the **Management Agent** staff who did not make the decision to reject the resident's request. Persons with disabilities have the right to request reasonable accommodations to participate in the review process. **Management Agent** will give the applicant a written final decision within five business days of the response or meeting.



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