

# JCHE

JEWISH COMMUNITY  
HOUSING FOR THE ELDERLY

Officers  
*Chair*  
Merle Grandberg

*President & CEO*  
Amy Schectman

30 Wallingford Road  
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[jche.org](http://jche.org)

## **EXHIBIT 9**

### **Relocation, Fair Housing and Accessibility**

- A. Plans for Relocation N/A**
- B. Reasonable Accommodation/Modification Policy**
- C. Architectural Access**

## **JCHE 504 Policy**

*Officers*  
*Chair*  
Merle Grandberg  
*President & CEO*  
Amy Schectman

As required by HUD, JCHE takes steps to ensure compliance with all regulations regarding the application of laws pertaining to Section 504 of the Rehabilitation Act of 1973. JCHE has designated a 504 Officer to coordinate our efforts to maintain compliance with regulations.

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Residents or staff members submit written or verbal requests for Reasonable Accommodation directly to the 504 Officer by the resident or a staff member. The 504 Officer follows up with the resident or the professional that they have designated to verify their need for a reasonable accommodation and makes a determination based on need within 30 days.

JCHE may reject a requested accommodation if: the tenant does not meet the definition of a person with a disability, the request is not necessary in order to achieve equal access to facilities or programs, the request would pose an undue financial burden, or the resident requires a fundamental change in the nature of a policy or program.

At the time of the denial, the applicant/resident may want to provide additional information to the 504 coordinator or may request a meeting with the COO. This meeting should take place within 10 days.

# TENANT SELECTION PLAN

## Golda Meir House I and II

160 Stanton Avenue  
Newton, Massachusetts

A property owned and managed by  
Jewish Community Housing for the Elderly



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## EXHIBITS:

I.	Affirmative Fair Housing Marketing Plan. HUD-935.2 with attachments.
II.	Application Form
III.	Verification Forms
IV.	Glossary of Terms
V.	Schedule of Rents and Other Charges
VI.	Income Limits
VII.	Live-In Attendant Agreement
VIII.	Criminal and Sex Offender Background Information
IX.	Declaration of Citizen/Immigration Status
X.	Violence Against Women Lease Addendum
XI.	Disclosure of Social Security Numbers

## **I. INTRODUCTION**

JCHE provides affordable elderly housing in a supportive, caring community. Occupancy of Golda I and II is restricted to the elderly (i.e., the head or spouse is a person 62 years of age or older). A limited number of units are designed for persons with mobility impairments.

In order to help elderly residents remain in this community setting, JCHE offers non-medical, housing related services for the elderly such as social, education, recreational and volunteer programs. In addition, JCHE staff help tenants with arrangements to obtain supportive services provided by community agencies serving the elderly, e.g., personal care, homemaking, transportation, etc. Golda Meir House in Newton has a mandatory lunch program Mondays-Fridays.

Golda Meir House I and II is a development that consists of 193 one-bedroom apartments for tenants, of which 1 one-bedroom apartment is for live-in staff, and 6 two-bedroom apartments, of which 1 two-bedroom apartments is for live-in staff. Eleven units in Golda I and eight units in the Golda II building are designed for the mobility impaired, and all of Golda II units are also specially equipped for individuals with sensory impairments. There are 100 units in Golda Meir House I as part of a Section 8 contract subsidized by HUD, 24 Golda I units are Market Rate and in Golda Meir House II 74 units are subsidized under a HUD Project Rental Assistant Contract (PRAC) authorized under Section 202 - Supportive Housing for the Elderly. Tenants have full and equal access to all of Golda Meir House's community spaces.

All resident selection and management functions are carried out in accordance with HUD regulations, and other directives.

## **II. POLICY OF NONDISCRIMINATION**

No person will be denied the opportunity to apply for housing, and no eligible applicant will be denied the opportunity to rent any apartment suitable to his/her needs on account of sex, race, color, creed, religion, national origin, ancestry, marital status, sexual orientation, gender identity, disability, or handicap. Available housing accommodations will be assigned on a fair and equitable basis in accord with regulations of the Department of Housing and Urban Development and all applicable Fair Housing and Civil Rights laws.

It is the policy of JCHE 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 Fair Housing Act Amendments of 1988, the Americans with Disabilities Act, state and local civil rights laws, and any applicable legislation protecting the individual rights of applicants and tenants which may subsequently be enacted.

Complaints of discrimination may be directed to the owner, Jewish Community Housing for the Elderly located at 30 Wallingford Road, Brighton, MA 02135.

### III. AFFIRMATIVE MARKETING

Affirmative marketing at JCHE is handled in accordance with approved Affirmative Fair Housing Marketing Plans for each development. Outreach to racial and ethnic groups who are not represented in the immediate vicinity of its developments is an ongoing process. Asian, Black and Hispanic occupants have been successfully recruited through an ongoing contact with housing referral personnel in community agencies. Current tenants are JCHE=s best source of minority referrals.

JCHE will attempt to attract eligible applicants to fill available units at Golda Meir House I and II through advertising and outreach efforts which are in accordance with the Affirmative Fair Housing Marketing Plan (AFHMP) submitted on Form HUD-935.2. ( Exhibit I)

- X The approved AFHMP will be available for public inspection in the Golda Meir House Rental Office, 160 Stanton Avenue, Newton, MA 02466
- X HUD Fair Housing Posters are prominently displayed in all offices in which rental activity takes place.
- X All advertising material related to the housing contains the Equal Opportunity logo, slogan, or statement in conformance with the HUD Fair Housing Advertising Regulation (24 CFR Part 109) for Fair Housing.
- X Information relating to rental activity will be collected and maintained in an Affirmative Marketing log which includes documentation connected with the outreach program, and data by race, ethnicity and gender for both occupants and applicants (Executive order 11063 and 24 CFR 1.4(b) 121 and 108).

### Marketing

JCHE will maintain an open waiting list. Applicants may apply to any JCHE property on a single standard application. They may indicate on their application and subsequent reconfirmations all the developments to which they are applying. Separate waiting lists of individual properties are generated by the central office. Because of the length of the wait lists, advertisements are not used to market units. Twice yearly, newsletters are sent to community agencies, families and tenants describing JCHE activities and reminding interested organizations of the work JCHE does to provide affordable housing.

#### IV. **ELIGIBILITY**

To be eligible for admission to Golda Meir I and II, an applicant must meet all of the following conditions:

1. The household's head or spouse is age 62 or older for admission.
2. The applicant's gross annual income (see Exhibit IV: Definitions of Annual Income and Adjusted Income) does not exceed the applicable income limit. The current income limits are contained in Exhibit VI. Income limits are customarily revised annually by HUD.
3. The applicant's household composition is appropriate for the unit sizes available at JCHE in accordance with the occupancy standards described in Section VI.
4. All non-exempt members of the applicant household agree to disclose their Social Security Numbers (SSN). The policies and procedures for implementing this requirement are found in Attachment XI (Disclosure of Social Security Numbers).

Note: Applicants do not need to disclose or provide verification of a SSN for all non-exempt household members at the time of application and for placement on the waiting list. However, applicants must disclose and provide verification of a SSN for all non-exempt household members before they can be housed.

5. The applicant intends to maintain the JCHE unit as his or her only residence, and agrees not to receive assistance for any other unit.
6. The applicant agrees to pay the rent calculated using the HUD rules.
7. The applicant's household demonstrates to the staff of JCHE that they are able and willing to meet the obligations of tenancy as described in the lease and its attachments.
8. All members of the applicant household must declare Citizen/Immigration status for Golda House I.
9. Admission is rejected to those who have engaged in drug related and/or criminal activity.
10. Admission shall not be provided to an entire household that is comprised of students who:
  - a. Are 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 educational credential;

- b. Are under the age of 24;
- c. Are not married;
- d. Are not a veteran of the United States Military;
- e. Do not have a dependent child;
- f. Are not persons with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving section 8 assistance as of November 30, 2006;
- g. Are not living with his or her parents who are receiving Section 8 assistance; and
- h. Are not individually eligible to receive Section 8 assistance **and** have parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance.

#### Special Eligibility Provisions Relating to Applicants Requiring a Live-In Aide.

Some applicants and tenants who would not otherwise be able to fully discharge the responsibilities of tenancy may be able to do so with the assistance of a Live-in Aide residing in the unit (see Exhibit IV: Glossary of Terms). When an applicant or tenant provides a certification from a licensed physician that an Aide is required, the following provisions shall apply:

1. While households with Live-In Aides would generally be considered eligible for separate bedrooms, JCHE permits Live-In Aides to share a one bedroom unit with one tenant if the tenant so wishes.
2. Live-In Aides must be listed as residing in the tenant's apartment, although the Aide's income is not included in the household income. An aide may be an adult family member who has returned to the parental home (and maintains no other household) because he or she is essential for the care or well-being of the elderly tenant(s).
3. Live-In Aides need approval from management to reside in a unit. The live-in aide is required to fill out a Criminal and Sex Offender Background Information Sheet and JCHE will conduct a CORI check on each live-in aide.
4. Households with approved Live-In Aides are required to execute a Live-In-Aide lease agreement and addendum. This lease agreement and addendum specifies that the Live-In-Aide is not permitted to remain in the unit once services are no longer required. The agreement and addendum includes adult children who are acting as live-in aides. In both instances, JCHE requires that a release form be signed relinquishing any future right to the unit as a remaining member of the household.

## Violence Against Women Act VAWA

The Violence Against Women and Justice Department Reauthorization Act of 2005 protects against evictions or denial of housing based on domestic violence, dating violence, or stalking. In accordance with the Violence Against woman Act (VAWA), Management will not penalize victims of domestic violence, stalking, dating violence, or rape. Some key points provided in the Act include:

1. An applicant's or program participant'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.
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.
4. Assistance may be terminated or a lease "bifurcated" in order to remove an offending household member from the home. Whether or not the individual is a signatory to the lease and lawful tenant, if he/she engages in a criminal act of physical violence against family members or others, he/she stands to be evicted, removed, or have his/her occupancy rights terminated. This action is taken while allowing the victim, who is a tenant or a lawful occupant, to remain.
5. The provisions protecting victims of domestic violence, dating violence or stalking engaged in by a member of the household, may not be construed to limit the O/A, when notified, from honoring various court orders issued to either protect the victim or address the distribution of property in case a family breaks up.
6. The authority to evict or terminate assistance is not limited with respect to a victim that commits unrelated criminal activity. Furthermore, if an O/A can show an actual and imminent threat to other tenants or those employed at or providing service to the property if an unlawful tenant's residency is not terminated, then evicting a victim is an option, the VAWA notwithstanding. Ultimately, O/As may not subject victims to more demanding standards than other tenants.
7. The VAWA protections shall not supersede any provision of any federal, state, or

local law that provides greater protection for victims of domestic violence, dating violence or stalking. The laws offering greater protection are applied in instances of domestic violence, dating violence or stalking

**Victims must certify their status as victims and that the incident in question was a bona fide incident of domestic violence by presenting appropriate documentation to the Property Manager. Nothing prevents a victim who has committed a crime or violated a lease from being denied, evicted or terminated.**

## **V. APPLICATIONS AND THE WAITING LIST**

There are no application fees or other charges associated with processing applications.

JCHE will use a standard application form (Exhibit II) to collect information on each applicant to determine eligibility and preference. Upon receipt, the applications are stamped with the date of receipt, and then reviewed to be certain all requested information has been provided. Calls or letters may be necessary to clarify status. Whenever inquiries are made, staff will answer applicant questions about the process, the estimated length of wait, and other information about JCHE housing and services.

The application includes a certification by the applicant that the information provided for determination of eligibility, need and preference is true. This information will be used to determine initial placement on the waiting list. Prior to admission, applicants will be invited to an interview at which time preference status and all other eligibility factors will be verified. Verification forms are attached in Exhibit III.

### **Selection Preferences**

Applications will be processed and considered for selection in order of application date, and will apply the following preferences:

1. JCHE will make at least 40 percent of the subsidized units that become vacant in each fiscal year available for leasing to families currently on the waiting list whose incomes do not exceed 30 percent of the area median income (“extremely low income”) at the time of admission. These extremely low income families will be accepted in advance of all other qualified applicants until 40 percent of subsidized units are filled (based on an estimate of projected vacancies). If, at any time during the fiscal year, the number of vacancies exceeds this estimated number, JCHE will immediately begin to fill these vacancies with extremely low income applicants until 40 percent is reached.
2. If 40 percent of the annually available subsidized units cannot be filled from families on the current waiting list, JCHE will immediately begin marketing to potential eligible tenants who have incomes that do not exceed 30 percent of the median income of the area. After marketing, if JCHE is unable to fill all of the units with

applicants who meet the extremely low income guidelines, these units will be filled with applicants from other eligible income categories. JCHE will maintain records demonstrating that all reasonable steps were taken to fill these units with extremely low income tenants.

3. At least 75% of all other applicants selected will be chosen from eligible households that meet JCHE's preference criteria (see paragraph 4 regarding preferences below). All preferences listed are treated equally and there are no rankings. The preferences include:
  - Currently living in substandard housing, and/or
  - Currently paying more than 50% of their gross income on rent and utilities, and/or
  - Involuntarily displaced and/or
  - Currently living too far away from family members who provide support services essential for the applicant's well-being
4. There are no preferences for applications received after November 15, 2004, all other applications with preferences before this date will be recognized. All other applicants are selected according to chronological order from the general pool of otherwise eligible applicants.

### **Processing Applications**

Applications are date stamped upon receipt and reviewed to determine eligibility. All ineligible applicants will be sent written notification of their ineligible status and will be offered an opportunity to appeal their ineligibility by written request.

Eligible applicants are called for an interview in order of their rank. They will be requested to bring information needed to verify preference status indicated on their application and all other factors affecting eligibility (e.g. income, age, etc.).

JCHE will periodically update its waiting list by contacting each applicant in writing at his or her last known address and request information by a specific date. The updated information may result in a change in the order of selection (e.g. a change in preference status). Failure to respond to update requests within the required time frame will result in the applicant's name being removed from the list. Once removed from the waiting list, applicants may re-activate their status within a six-month period. Applicants must notify JCHE of any change in address and/or telephone number to ensure their receipt of future correspondence.

Applicants who have been approved for occupancy will be requested to return for leasing and for scheduling their move-in.

Applicants may withdraw their names from the waiting list at any time by written request. If a former applicant is again interested in housing at a later date, he/she may reapply and be given a new application date.

### **Screening**

The burden is on the applicant to demonstrate, to the satisfaction of JCHE, that he/she is:

1. A responsible rent payer based on past rental history;
2. Willing to maintain the apartment in a sanitary, safe and secure condition;
3. Willing to live peaceably with neighbors in a residential community; and
4. Willing to provide the management office with accurate and complete information on the application form or any other form required to determine eligibility. Failure or refusal to comply with HUD regulations and JCHE requirements, or providing false or incomplete information is grounds for determining an applicant ineligible.

JCHE will use the Enterprise Income Verification (EIV) Existing Tenant Search (**Required only for Federally Assisted Housing Developments**). Management will conduct an Existing Tenant Search in EIV, and obtain an Existing Tenant Report, to determine if the applicant or any applicant household members are currently residing at another development receiving federal housing subsidies [Federally Assisted Housing Development]. Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin.

It is the policy of JCHE to reject an applicant if any of the following facts are verified:

1. The past performance of the applicant or member(s) of the applicant's household in meeting financial obligations has been poor, and/or
2. The applicant or member(s) of the applicant's household has a history of disturbance of neighbors, damage to property, or housekeeping habits, which would likely interfere with other tenants in such a way as to diminish their enjoyment of the premises, or affect their health and safety and/or
3. The applicant or member(s) of the applicant's household has a history of crimes of physical violence to persons or property or drug related activity or subject to a state sex offender lifetime registration or other criminal acts which would adversely affect the health, safety, welfare or peaceful enjoyment of the premises by other tenants or development employees, and/or

4. The applicant or member(s) of the applicant's household has falsified information requested on the application form, has failed to provide information requested, or has committed fraud in any housing program, and/or if the applicant or any member of the applicant household fails to fully and accurately disclose rental history, the application may be denied based on the applicant's "misrepresentation of information".
5. There is other evidence relating to previous habits and practices which indicates that the applicant or member(s) of the applicant's household would be likely to have a detrimental effect on the housing community if admitted.
6. Review for completeness - Applications will be reviewed for completeness. Incomplete applications will be rejected, returned to the applicant and will not be evaluated until all the required information has been provided.

Before rejecting an applicant for reasons listed above, JCHE will consider the following mitigating factors:

- The severity of the potentially disqualifying conduct;
- The amount of time that has elapsed since the occurrence of such conduct;
- The degree of danger, if any, to the health, safety and security of others or to the security of the property of others or to the physical conditions of the housing development and its common areas if the conduct recurred;
- The disruption, inconvenience, or financial impact that recurrence would cause the housing provider; and
- The likelihood that the applicant's behavior in the future will be substantially improved.

## **VI. UNIT ASSIGNMENT**

Applicants will be offered units of an appropriate size and type.

Units designed for the mobility impaired or those with features for individuals with sensory impairments will be offered to eligible applicants who require the special design features of the unit. These units will be offered to an applicant who does not need the features if a mobility impaired applicant is not present in the pool of applications received.

Units designed for the mobility impaired are offered, when available, in the following order:

- **FIRST**, current residents who require the accessibility features of the unit;
- **SECOND**, the first eligible preference applicant who has a mobility impairment and requires the accessibility features of the unit;

- **THIRD**, the first eligible non-preference applicant who has a mobility impairment and requires the accessibility features of the unit;
- **FOURTH**, to applicants who do not need the features of the unit (with preference applicants first). JCHE will prepare a lease addendum that requires the tenant to transfer when a non-accessible unit becomes available and a mobility impaired applicant is identified.

**Unit Transfers**

Tenants will only be transferred from one unit to another for the following reasons:

- A. A handicapped tenant requires a transfer to a specially designed modified unit.
- B. A household occupying a wheelchair accessible unit does not require the features of the unit.

Tenants approved for transfers are offered suitable units in order of date and time of request. All moving costs associated with transfers are borne by the tenant. However if a tenant is transferred as a reasonable accommodation due to a household member’s disability, then the owner will pay the costs associated with the transfer, unless doing so would be an undue financial and administrative burden.

**VII. VERIFICATIONS**

Each applicant household is required to provide all information and authorization necessary to enable JCHE to verify the applicant's qualification for preference status, income eligibility, and household composition.

Verification methods conform to HUD requirements. Whenever possible, third party written verifications are obtained. If those are not possible, oral third party verifications are acceptable. Applicant/tenant provided documents and certifications will be considered at JCHE's discretion.

Applicants and tenants are required to:

- A. Provide verification of income, assets, exclusions and deductions from income;
- B. Provide verification of household size, age and relationship;
- C. Execute release of information statements requested, including releases for tax returns if requested.
- D. Disclose the Social Security Numbers of all household members;

- E. Provide verification of any preference for selection claimed.
- F. Provide verification of citizenship or legal residency status on forms accompanying the application.
- G. JCHE may also consider information from a credit bureau, record of prior criminal history, or housing court history. If JCHE chooses to check this information for one applicant, information will be secured on all applicants.

Screening and verification methods are applied consistently and uniformly for all applicants and tenants. Verification forms are attached as Exhibit III, the Criminal and Sex Offender Background Information form is attached as Exhibit VIII and Citizen/Immigration Status Forms are attached as Exhibit IX. JCHE staff reserve the right to request and require additional information through appropriate sources if determined necessary.

All applicant and tenant information collected is maintained confidentially and kept for a period of no less than three years following application withdrawal or tenant move-out.

## **VIII. LEASING AND LEASE ENFORCEMENT**

### A. The Lease

Upon assignment and acceptance of an available unit, the prospective tenant will execute a lease with JCHE in a form approved by HUD. The lease specifies the initial term and the renewal term.

Leases are signed by the Head of Household and all adult members of household (if applicable). One executed copy of the lease will be placed in the tenant file, and another will be given to the tenant. Requirements of the lease will become a part of this policy by reference. A new lease will be executed with a household whenever any of the following occur:

1. A signer of the lease ceases to be a member of the household.
2. A new spouse or co-head (approved in advance) joins the household.
3. The household is transferred to another unit.
4. JCHE and/or HUD requires new lease terms to be implemented.

Attachments to the lease include the Unit Inspection Report, Lease Addendum, House Rules, Meals Agreement, Declaration of Citizen/Immigration Status, and Declaration of Criminal and Sex Offender Background Information.

## B. Security Deposits

Prior to occupancy new residents must pay a security deposit equal to the Tenant Rent. JCHE will collect, retain, refund and pay interest on security deposits in accordance with state law and HUD regulations.

## C. Schedule of Rents, Utility Allowances and Other Charges

Each household is charged a monthly rent, which is based upon HUD's rent formula for the Section 8 program (Golda Meir I) and Section 202 PRAC (Golda Meir II) Programs. Tenants must also pay HUD approved charges for specific services provided by JCHE and damages to the unit or common area caused by the tenant, the tenant's guests, or the tenant's pet. Rules governing payment of rent and other charges are specified in the Lease, Lease Addendum, House Rules, and in the Resident Handbook, which is incorporated herein by reference.

Exhibit V contains a current schedule of rents and other charges. Future changes are incorporated herein by reference.

## D. Evictions

JCHE will only commence eviction action against a tenant for:

1. Material non-compliance with the terms of the lease (including non-compliance with the requirements contained in House Rules and the Resident Handbook);
2. Failure to abide by State and local tenant laws;
3. Other good cause (including failure to accept lease modifications);
4. Criminal Activity by tenant or any guest on premises; and
5. Non-payment of rent.

Written records documenting eviction actions shall be maintained by JCHE in strict confidence and shall contain all of the following information:

1. Name of tenant and identification of unit occupied.
2. Copies of the Termination Notice and any subsequent correspondence or notices.

3. Specific reason(s) for eviction. For example, if a tenant is being evicted for conditions endangering health and safety of other tenants and damages to the building, the record shall detail the actions for which the eviction has been instituted.
4. Responses or answers, if any, received from the tenant.
5. Date and method of notifying tenant of reasons and showing a summary of any conference(s) with the tenant, including the names of conference participants.
6. Dated and signed records of the minutes of any hearings held.
7. Date and description of the final action taken.

#### E. Unit Inspections

- Each unit will be inspected jointly by the tenant(s) and a JCHE staff member at the time of lease execution, on the day the unit is vacated, and annually during tenancy. Tenants will be given reasonable advance notice of the date and time of the inspections.
- The tenant should be present during the inspection but if he/she is unable to be, management will conduct the inspection independently. A written inspection form will be used.
- Conditions noted during inspections will result in appropriate actions such as: more frequent inspections, requests for maintenance services, lease enforcement actions against tenants, and charges for damages to units.

### **IX REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH HANDICAPS**

Applicants and tenants who meet HUD's definition of "individual with handicaps" (see Exhibit IV: Glossary of Terms) may request accommodations to enable them equal access to the housing program including modifications made to their units.

Requests for accommodations should be directed to the JCHE Property Manager who will follow established procedure for determining the feasibility and costs.

When JCHE and HUD concur that the accommodations requested would result in an undue financial or administrative burden for the property, the applicant or tenant will be permitted to make accommodations at his/her own expense, provided they meet the development's standards of workmanship. JCHE reserves the right to impose specific requirements on the applicant or tenant as permitted under the law.

**EXHIBIT I**

**AFFIRMATIVE FAIR HOUSING MARKETING PLAN**

**HUD 935.2  
Attachments**

**APPLICATION**

**VERIFICATION FORMS:**

**GLOSSARY OF TERMS**

- 1. Adjusted Income** Annual income (as determined by the owner) of the members of the family residing or intending to reside in the dwelling unit, after making the following deductions.

In determining adjusted income, the owner must deduct the following amounts from annual income:

1. \$480 for each dependent;
2. \$400 for any elderly family or disabled family;
3. The sum of the following, to the extent the sum exceeds 3% of annual income:
  - a. Unreimbursed reasonable medical expenses of any elderly family or disabled family; and
  - b. Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus; and
4. Any reasonable child care expenses necessary to enable the family member to be employed or to further his or her education.  
*[24 CFR 5.611]*

**2. Annual Income**

- a. All amounts, monetary or not, which:
  1. Go to, or on behalf of, the family head or spouse [or co-head] (even if temporarily absent) or to any other family member; or
  2. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual re-examination effective date; and

Which are not specifically excluded [by regulation]. Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access. [24 CFR 5.609]

## INCOME INCLUSIONS

- (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
  - (2) The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
- A. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (2) above. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;
- (4) The full amount of periodic amounts received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount, except as provided in paragraph (13) under Income Exclusions (e.g., Black Lung Sick benefits, Veterans Disability, Dependent Indemnity Compensation, payments to the widow of a serviceman killed in action);
  - (5) Payments in lieu of earnings, such as unemployment, disability compensation, worker's compensation, and severance pay, except as provided in paragraph (3) under Income Exclusions;
  - (6) Welfare Assistance.
    - (a) Welfare assistance received by the family.
    - (b) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

- (c) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
- (d) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage;
- (7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling; and
- (8) All regular pay, special pay, and allowances of a member of the Armed Forces, except as provided in paragraph (7) under Income Exclusions.

### INCOME EXCLUSIONS

- (1) Income from employment of children (including foster children) under the age of 18 years;
- (2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
- (3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses, except as provided in paragraph (5) under Income Inclusions;
- (4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- (5) Income of a live-in aide, as defined in 24 CFR 5.403;
- (6) The full amount of student financial assistance paid directly to the student or to the educational institution;
- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire (e.g., in the past, special pay included Operation Desert Storm);
- (8) (a) Amounts received under training programs funded by HUD (e.g., training received under Section 3);

Amounts received by a person with a disability that are disregarded for a limited time for purposes of supplemental security income eligibility and benefits because they are set-aside for use under a Plan to Attain Self-Sufficiency (PASS);

(c) Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;

(d) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the owner, on a part-time basis, that enhances the quality of life in the project. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident-initiative coordination. No resident may receive more than one such stipend during the same period of time; or

(e) Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs (including training programs not affiliated with a local government) and training of a family member as a resident

management staff person. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program.

- (9) Temporary, nonrecurring, or sporadic income (including gifts);
- (10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era. (Examples include payments by the German and Japanese governments for atrocities committed during the Nazi era);
- (11) Earnings in excess of \$480 for each full-time student 18 years or older (excluding the head of household and spouse);
- (12) Adoption assistance payments in excess of \$480 per adopted child;
- (13) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump-sum amount or in prospective monthly amounts;
- (14) Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit;
- (15) Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
- (16) Amounts specifically excluded by any other federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the *Federal Register* and distributed to housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. The following is a list of income sources that qualify for that exclusion:
  - (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 [b]);
  - (b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058) (employment through AmeriCorps, Volunteers in Service to America [VISTA], Retired Senior Volunteer Program, Foster Grandparents Program, youthful offender incarceration alternatives, senior companions);
  - (c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626[c]);
  - (d) Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);
  - (e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624[f]);
  - (f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552[b]); (effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 [29 U.S.C. 2931], e.g., employment and training programs for Native Americans and migrant and seasonal farm workers, Job Corps, veterans employment programs, state job training programs, career intern programs, Americorps);

- ) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L- 94-540, 90 Stat. 2503-04);
- (h) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U. S. Claims Court and the interests of individual Indians in trust or restricted lands, including the first \$2,000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408);
- (i) Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);
- (j) Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056[f]), e.g., Green Thumb, Senior Aides, Older American Community Service Employment Program;
- (k) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent-product liability litigation*, M.D.L. No. 381 (E.D.N.Y.);
- (l) Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);
- (m) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);
- (n) Earned income tax credit (EITC) refund payments received on or after January 1, 1991, including advanced earned income credit payments (26 U.S.C. 32[j]);
- (o) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433);
- (p) Allowances, earnings, and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637[d]);
- (q) Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran (38 U.S.C. 1805);
- (r) Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and
- (s) Allowances, earnings, and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).  
losses;

**3. "At-Risk" Elderly Person;** An individual who needs assistance in performing one or two Activities of Daily Living and an assessment that receipt of services is essential to prevent premature institutionalization.

The Activities of Daily Living (ADLs) and the factors which determine whether there is a deficiency are:

**Eating** May need assistance with cooking, preparing, or serving food, but must be able to feed self;

**Bathing** May need assistance with getting in and out of the shower or tub, but must be able to wash self;

**Grooming** May need assistance in washing hair, but must be able to take care of personal appearance;

**Dressing** May need occasional assistance, but must be able to dress self;

**Home Management**

May need assistance in doing laundry, housework, grocery shopping, or getting to and from activities such as going to the doctor and shopping, but must be mobile. This does not exclude persons in wheelchairs or those requiring mobility devices.

**4. Disabled Person** (used solely for the purpose of determining allowances)- A person is considered disabled if he/she:

Has a developmental disability as described below:

1. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
2. In the case of an individual who has attained the age of 55 and is blind, inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time. For the purposes of this definition, the term blindness, as defined in section 416(i)(1) of this title, means central vision acuity of 20/200 or less in the better eye with use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purposes of this paragraph as having a central visual acuity of 20/200 or less.

- a. Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that:
    - 1) Is expected to be of long-continued and indefinite duration;
    - 2) Substantially impedes his or her ability to live independently; and
    - 3) Is of such nature that the ability to live independently could be improved by more suitable housing conditions; or
  - b. Has a developmental disability, as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(8)), i.e., a person with a severe chronic disability that
    - 1) Is attributable to a mental or physical impairment or combination of mental and physical impairments;
    - 2) Is manifested before the person attains age 22;
    - 3) Is likely to continue indefinitely;
    - 4) Results in substantial functional limitation in three or more of the following areas of major life activity:
      - a) Self-care,
      - b) Receptive and expressive language,
      - c) Learning,
      - d) Mobility,
      - e) Self-direction,
      - f) Capacity for independent living, and
      - g) Economic self-sufficiency; and
    - 5) Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated.
3. Does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome;
  4. For purposes of qualifying for low-income housing, does not include a person whose disability is based solely on any drug or alcohol dependence; and
  5. Means person with disabilities (individual with handicaps)<sup>1</sup> as defined by 24 CFR 8.3 (Section 504), for purposes of reasonable accommodation and program accessibility for persons with disabilities. [24 CFR 5.403]

5. **Displaced Person** - A family in which each member, or whose sole member is displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to federal disaster relief laws. [24 CFR 5.403]
6. **Elderly Person** - An elderly person is a household composed of one or more persons, at least one of whom is at least 62 years of age or more at the time of initial occupancy. [24 CFR 891.205]
7. **Eviction** - The dispossession of the tenant from the leased unit as a result of the termination of tenancy, including a termination prior to the end of a lease term [24 CFR 247.2] for serious or repeated violation of material terms of the lease such as failure to make payments due under the lease or to fulfill the tenant obligations set forth in HUD regulations, Federal, and state law, or for other good cause.
8. **Frail Elderly Person** - An individual who has been determined to be deficient in three or more of the Activities of Daily Living.

The Activities of Daily Living (ADLs) and the factors which determine whether there is a deficiency are:

**Eating** May need assistance with cooking, preparing, or serving food, but must be able to feed self;

**Bathing** May need assistance with getting in and out of the shower or tub, but must be able to wash self;

**Grooming** May need assistance in washing hair, but must be able to take care of personal appearance;

**Dressing** May need occasional assistance, but must be able to dress self;

**Home Management**

May need assistance in doing laundry, housework, grocery shopping, or getting to and from activities such as going to the doctor and shopping, but must be mobile. This does not exclude persons in wheelchairs or those requiring mobility devices.

9. **Handicapped Assistance Expenses** - Reasonable expenses in excess of three (3) percent of annual income that are anticipated, during the period for which Annual Income is computed, for attendant care and auxiliary apparatus for a Handicapped or Disabled Family member and that are necessary to enable a Family member (including the Handicapped or Disabled member) to be employed, provided that the expenses are neither paid to a member of the Family nor reimbursed by an outside source.

**10. Handicapped Person** (used solely for the purpose of determining allowances)

A person with disabilities means:

Any adult having a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration, substantially impedes his or her ability to live independently, and is of a nature that such ability could be improved by more suitable housing conditions.

1. A person with a developmental disability, as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(8)), i.e., a person with a severe chronic disability that:
  - a. Is attributable to a mental or physical impairment or combination of mental and physical impairments;
  - b. Is manifested before the person attains age 22;
  - c. Is likely to continue indefinitely;
  - d. Results in substantial functional limitation in three or more of the following areas of major life activity:
    - (1) Self-care;
    - (2) Receptive and expressive language;
    - (3) Learning;
    - (4) Mobility;
    - (5) Self-direction;
    - (6) Capacity for independent living;
    - (7) Economic self-sufficiency; and
  - e. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated.
2. A person with a chronic mental illness, i.e., person who has a severe and persistent mental or emotional impairment that seriously limits his or her ability to live independently, and whose impairment could be improved by more suitable housing conditions.
3. Persons infected with the human acquired immunodeficiency virus (HIV) who are disabled as a result of infection with the HIV are eligible for occupancy in the Section 202 projects designed for the physically disabled, developmentally disabled, or chronically mentally ill depending upon the nature of the person's disability.

**NOTE:** A person whose sole impairment is alcoholism or drug addiction (i.e., who does not have a developmental disability, chronic mental illness, or physical disability that is the disabling condition required for eligibility in a particular project) will not be considered to be disabled for the purposes of the Section 202 and Section 811 programs. [24 CFR 891.305 and 891.505]

**11. Homeless Family** - Includes any family or individual who:

- a. Lacks a fixed, regular, and adequate residence; and
- b. Has a primary nighttime residence that is:

- (1) A supervised publicly or privately operated shelter designed to provide temporary living accommodation (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
- (2) An institution that provides a temporary residence for individuals intended to be de-institutionalized; or
- (3) A public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

12. **HUD** - The U.S. Department of Housing and Urban Development.

13. **Income Limits** HUD establishes income limits that are used to determine whether housing applicants qualify for admission to HUD-subsidized properties. These income limits are based on HUD estimates for area median family income with certain statutory permissible adjustments. The maximum annual income (by household size) which may be received by applicants in order to be eligible for assistance.

14. **Individual With Handicaps** - An individual who has a physical or mental impairment(s) that substantially limits one or more major life activities, has a record of having such impairments, or is regarded as having such impairment(s).

15. **Involuntary Displacement** - An applicant is involuntarily displaced for any of the following reasons:

- A disaster, such as a fire or flood, has made the unit inhabitable.

- Code enforcement, public improvement or development program activities by a U.S. agency or a State or local governmental body or agency.

- \* The housing owner has taken an action which forces the applicant to vacate its unit:

- the action was beyond the applicant's ability to control or prevent;

- the action occurred despite the applicant's having met all previously imposed conditions of occupancy; and

- the action was not a rent increase.

- \* The applicant has vacated a housing unit because of domestic violence or the applicant lives in a housing unit with a person who engages in domestic violence.

**Domestic violence means** actual or threatened physical violence directed against one or more members of the applicant family by a spouse or other member of the applicant's household. The violence must have occurred recently or is of a continuing nature.

- The applicant family members provide information on criminal activities to a law enforcement agency and based on a threat assessment, a law enforcement agency recommends re-housing the family to avoid or minimize a risk of violence against family members as a reprisal for providing such information.

- One or more members of the applicant's family have been the victim of one or more hate crimes and the applicant has vacated a housing unit because of such crime, or the fear associated with such crime has destroyed the applicant's peaceful enjoyment of the unit.

Hate crime means actual or threatened physical violence or intimidation that is directed against a person or his or her property and that is based on the person's race, color, religion, sex, national origin, handicap, or familial status. It must have occurred recently or is of a continuing nature.

- A member of the family has a mobility or other impairment that makes the person unable to use critical elements of the unit and the owner is not legally obligated to make the changes to the unit that would make critical elements accessible to the disabled person as a reasonable accommodation.

- Disposition of multifamily rental housing project by HUD under Section 203 of the Housing and Community Development Amendments of 1978.

**16. Live-in Aide** - - (Care Attendant) A person who resides with one or more elderly, near elderly persons, or person with disabilities, and who:

- a. Is determined to be essential to the care and well-being of the person(s), (as evidenced by a certification from the physician);
- b. Is not obligated for support of the person(s); and
- c. Would not be living in the unit except to provide necessary supportive services. [24 CFR 5.403]

A live-in aide does not qualify as the remaining member of a tenant family.

**17. Medical Expenses** - Those medical expenses that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance, including medical insurance premiums, payments on accumulated major medical bills, dental expenses, prescription medicines, eyeglasses, hearing aids, and batteries, cost of care attendant, and transportation expenses directly related to medical treatment.

**18. Monthly Adjusted Income** - 1/12 of Annual Adjusted Income.

**19. Monthly Income** - 1/12 of Annual Income.

20. Net Family Assets - **Net Family Assets include the following:**

A. Cash held in savings and checking accounts, safe deposit boxes, homes, etc. For savings accounts, use the current balance. For checking accounts, use the average balance for the last six months. Assets held in foreign countries are considered assets.

B. Revocable trusts. Include the cash value of any revocable trust available to the family. See discussion of trusts in paragraph 5-7 G.1.

C. Equity in rental property or other capital investments. Include the current fair market value less (a) any unpaid balance on any loans secured by the property and (b) reasonable costs that would be incurred in selling the asset (e.g., penalties, broker fees, etc.).

- 1) If the person's main business is real estate, then count any income as business income under paragraph 5-6 G of the chapter. Do not count it both as an asset and business income.

D. Stocks, bonds, Treasury bills, certificates of deposit, mutual funds, and money market accounts. Interest or dividends earned are counted as income from assets even when the earnings are reinvested. The value of stocks and other assets vary from one day to another. The value of the asset may go up or down the day before or after rent is calculated and multiple times during the year thereafter. The owner may assess the value of these assets at any time after the authorization for the release of information has been received. The tenant may request an interim recertification at any time thereafter that a decrease in stock value may result in a decrease in rent.

E. Individual retirement, 401K, and Keogh accounts. These are included when the holder has access to the funds, even though a penalty may be assessed. If the individual is making occasional withdrawals from the account, determine the amount of the asset by using the average balance for the previous six months. (Do not count withdrawals as income.)

Retirement and pension funds.

1. While the person is employed. Include only amounts the family can withdraw without retiring or terminating employment. Count the whole amount less any penalties or transaction costs. Follow paragraph 5-7 G.4 of the chapter on determining the value of assets.

2. At retirement, termination of employment, or withdrawal.

Periodic receipts from pension and retirement funds are counted as income. Lump-sum receipts from pension and retirement funds are counted as assets. Count the amount as an asset or as income, as provided below.

- a. If benefits will be received in a lump sum, include the lump-sum receipt in net family assets.
- b. If benefits will be received through periodic payments, include the benefits in annual income. Do not count any remaining amounts in the account as an asset.
- c. If the individual initially receives a lump-sum benefit followed by periodic payments, count the lump-sum benefit as an asset as provided in the example below and treat the periodic payment as income. In subsequent years, count only the

periodic payment as income. Do not count the remaining amount as an asset.

G. Cash value of life insurance policies available to the individual before death (e.g., the surrender value of a whole life policy or a universal life policy). It would not include a value for term insurance, which has no cash value to the individual before death.

H. Personal property held as an investment. Include gems, jewelry, coin collections, or antique cars held as an investment. Personal jewelry is NOT considered an asset.

I. Lump-sum receipts or one-time receipts. (See paragraph 5-6 O for additional information on what is counted as a lump-sum receipt and how to treat lump-sum receipts.) These include inheritances, capital gains, one-time lottery winnings, victim's restitution, settlements on insurance claims (including health and accident insurance, worker's compensation, and personal or property losses), and any other amounts that are not intended as periodic payments.

J. A mortgage or deed of trust held by an applicant.

1. Payments on this type of asset are often received as one combined payment of principal and interest with the interest portion counted as income from the asset.
2. This combined figure needs to be separated into the principal and interest portions of the payment. (This can be done by referring to an amortization schedule that relates to the specific term and interest rate of the mortgage.)
3. To count the actual income for this asset, use the interest portion due, based on the amortization schedule, for the 12-month period following the certification.
4. To count the imputed income for this asset, determine the asset value at the end of the 12-month period following the certification. Since this amount will continually be reduced by the principal portion paid during the previous year, the owner will have to determine this amount at each annual recertification

In determining the Net Family Assets, HUD includes the value of any assets greater than one thousand dollars (\$1000) which were disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or recertification, as applicable, in excess of any consideration received for the asset.

### **Net family assets DO NOT include the following:**

**IMPORTANT:** The owner does not compute income from any assets in this paragraph.

1. Personal property (clothing, furniture, cars, wedding ring, other jewelry that is not held as an investment, vehicles specially equipped for persons with disabilities).
2. Interests in Indian trust land.
3. Term life insurance policies (i.e., where there is no cash value).
4. Equity in the cooperative unit in which the family lives.
5. Assets that are part of an active business. "Business" does NOT include rental of properties that are held as investments unless such properties are the applicant's or tenant's main occupation.

21. **Overcrowded Household** - A tenant family with an insufficient number of bedrooms for the number of persons in the family, according to the standards in Section VII.

22. **Public Housing Agency (PHA)**-

Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of public housing; Defined in Section 3 of the United States Housing Act of 1937 (42U.S.C. 1437 a (b)(6)).

PHAs include Performance-based Contract Administrators (PBCAs) and State Housing Finance Agencies (HFAs).\*\*

23. **Project Rental Assistance Contract (PRAC)** - HUD tenant-based assistance provided in the form of rental subsidies to eligible residents. Pertains to Golda Meir House II and *Coleman House II*, JCHE properties in Newton, MA.
24. **Recertification** - The process of securing documentation to show that tenants meet the eligibility requirements for continued federal assistance. The results of recertification determine the tenant's monthly rent.
25. **Remaining Member of the Tenant Family** - A person left in an assisted unit after other family members have vacated who may or may not normally qualify for assistance on his or her own circumstances. The person must be of legal age to sign a lease (adult).
26. **Student-** Student for Section 8 eligibility purposes means all students enrolled either full-time or part-time at an institution of higher education.\*\*
27. **Student Financial Assistance**  
For the Section 8 program, student financial assistance included in annual income is any financial assistance that a student receives in excess of tuition (e.g., athletic and academic scholarships) and that the student receives (1) under the Higher Education Act, (2) from private sources, or (3) from an institution of higher education as defined by the Higher Education Act of 1965. Financial assistance does not include loan proceeds.
  - a. Higher Education Act Assistance under the Higher Education Act of 1965 includes Pell Grants, Federal Supplement Educational Opportunity Grants, Academic Achievement Incentive Scholarships State Assistance Partnership Program, the Robert G. Byrd Honors Scholarship Program, and Federal Work Study programs.
  - b. Assistance from Private Sources is non-governmental sources of assistance, including assistance that may be provided to a student from parent, guardian or other family member, whether residing within the family in the section 8 assisted unit or not, and from other persons not residing in the unit.
  - c. Assistance from an Institution of Higher Education requires reference to the particular institution and the institution's listing of financial assistance. (See definition for Institution of Higher Education.)
  - d. Loans are not financial assistance, and, therefore, the loan programs cited in the Higher Education Act of 1965 (the Perkins,

Stafford and Plus loans) are not included in the term “financial assistance” in determining student eligibility for section 8 assistance.\*\*

**28. Substandard Housing** - A unit is substandard if it:

- Is dilapidated;
- Does not have operable indoor plumbing;
- Does not have a usable flush toilet inside the unit for the exclusive use of the family;
- Does not have a usable bathtub or shower inside the unit for the exclusive use of the family;
- Does not have electricity, or has inadequate or unsafe electrical service;
- Does not have a safe or adequate source of heat;
- Should, but does not have, a kitchen; or
- Has been declared unfit for habitation by an agency of the government.

A homeless family is considered living in substandard housing (see definition of Homeless Family).

For purposes of this definition, single room occupancy (SRO) housing is not substandard solely because it does not contain sanitary or food preparation facilities or both in the individual living unit.

**29. Transfer** - A move by a tenant family from one apartment to another, generally as the result of changes in family composition which changes the number of bedrooms required by the family or because of need for the special modifications of a handicap accessible apartment. A transfer may not be used to split an extended family into two households by moving only some members of the family to a second apartment.

**30. Very-Low Income Household** - A Household whose Annual Income does not exceed 50 percent of the median income for the area, as determined by HUD.

**EXHIBIT V**

SCHEDULE OF RENT AND OTHER CHARGES

Rent

Golda Meir House I and II Section 8 and PRAC subsidized tenants will be charged a monthly Total Tenant Payment (TTP), which is the greater of 30% of monthly adjusted income or 10% of monthly gross income. Golda Meir House I Market tenants will be charged the HUD approved market rate.

Other Charges

Following is a list of other charges to Golda Meir House I and II tenants (these charges are subject to change):

Additional keys - \$6 each proximity key  
\$3 each apartment key  
\$3 each mailbox key

Apt. door lock replacement (Tenant requested) - \$75

Meals \$93/month/person

Computer Center Access Fee \$15 per year (after completion of ten-week course)

Fitness Center Fee \$25 per year

Van \$2-\$5 per round trip

Tenant caused damages - actual material and labor costs

INCOME LIMITS

U.S. Department of Housing and Urban Development

<u>1 Person</u>	Extremely Low Income	<b>\$19,800</b>
	Very Low Income	<b>\$32,950</b>
	Low Income	<b>\$47,450</b>
<u>2 Persons</u>	Extremely Low Income	<b>\$22,600</b>
	Very Low Income	<b>\$37,650</b>
	Low Income	<b>\$54,200</b>

Annual changes to these income limits as determined by HUD are incorporated herein by reference.

**EXHIBIT VII**

**LIVE-IN ATTENDENT AGREEMENT:**

**EXHIBIT VIII**

**CRIMINAL AND SEX OFFENDER BACKGROUND INFORMATION:**

**EXHIBIT IX**

**DECLARATION OF CITIZEN /IMMIGRATION STATUS:**

**EXHIBIT X**

**VIOLENCE AGAINST WOMEN LEASE ADDENDUM**

## Disclosure of Social Security Numbers

Applicants must disclose social security numbers (SSNs) of all non-exempt applicant household members in order for the Agent to make an eligibility determination. This Attachment explains the requirements and responsibilities of applicants or residents to supply the Agent with this information.

1. Disclosure and Certification. The head of household/spouse/co-head must disclose SSNs for all non-exempt applicant household members.
  
2. Required Documentation. Applicants must provide documentation of SSNs. Adequate documentation means a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN, which may include the following: (i) Driver's license with SSN; (ii) Identification card issued by a federal, State, or local agency; a medical insurance provider, or an employer or trade union; (iii) Earnings statements on payroll stubs; (iv) Bank statement; (v) Form 1099; (vi) Benefit award letter; (vii) Retirement benefit letter; (viii) Life insurance policy; or (ix) Court records. Unless an original Social Security card is provided, the Applicant must certify that the document provided to evidence the SSN is complete and accurate.

NOTE: Individuals who have applied for legalization under the Immigration and Reform Control Act of 1986 will be able to disclose the SSNs, but are unable to supply the cards for documentation. SSNs are assigned to these persons when they apply for amnesty. The cards go to the Department of Homeland Security (DHS) until the persons are granted temporary lawful resident status. Until that time, their acceptable documentation is a letter from the DHS indicating SSNs have been assigned.

3. Timeframe for Providing Social Security Numbers.

- (a) Applicants currently on or applying to waiting list

Applicants do not need to disclose or provide verification of a SSN for all non-exempt household members at the time of application and for placement on the waiting list. However, applicants must disclose and provide verification of a SSN for all non-exempt household members before they can be housed.

- (b) Housing applicants from the waiting list

If all non-exempt household members have not disclosed and/or provided verification of their SSNs at the time a unit becomes available, the next eligible applicant must be offered the available unit.

The applicant who has not disclosed and/or provided verification of SSNs for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose and/or verify the SSNs. During this 90-day period, the applicant may, at its discretion, retain its place on the waiting list. After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list.

**Architectural Access Code Applicability**

Officers  
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JCHE is highly sensitive to the accessibility issues of our aging residents, and we have an ongoing commitment to doing whatever we can to keep an eye towards universal design and resident sensitivity.

The proposed project is primarily composed of systems upgrades, and does not involve any structural changes to our facility. Golda Meir I was built in 1980, and is not subject to Title II of the ADA or FHA requirements. Golda Meir II was built in 1992, and is both subject to and in compliance with those requirements. However, the project itself does not change the nature of any spaces in the building and therefore there are not any specific requirements of Title II of the ADA or the FHA that are specifically applicable to this project.

The cost of the project in relation to potential regulations is as follows:

<b>GOLDA MEIR HOUSE CDBG FUNDING REQUEST</b>	
Project Cost	\$1,006,394
Building value/Replacement Cost*	\$12,249,200
<b>% of Total Value</b>	<b>8.2%</b>

The work is well under the 30% requirement of CMR 521 3.3 and the 75% requirement for Substantial Alternations in Section 504 8.23(a).

JCHE's 504 Compliance Plan is included in the previous section. We do not anticipate any required variances from MAAB for this project.

Because this project does not have any applicable architectural access issues, JCHE has omitted the City of Newton's Architectural Access Worksheet. Our staff would be happy to revisit this worksheet if necessary per the City's instruction.