



WALNUT STREET APARTMENTS

Phase 1 Building 2

AFFIRMATIVE FAIR HOUSING MARKETING PLAN AND TENANT SELECTION PLAN



We Put The "HOME" In Housing!

Table of Contents - Affirmative Fair Housing Marketing Plan

Table of Contents

General Site Information	5
Fair Housing and Equal Opportunity	8
Reasonable Accommodations	9
Privacy Policy	10
Affirmative and General Marketing Outreach	10
Marketing Outreach Agencies/Organizations	14
Lottery Process	16
Application Intake and Processing:	17
TENANT SELECTION	20
Additional qualifications for Section 8 Units	20
Lottery Waitlist Management	22
Qualification for Admission	23
Verification Requirements	24
Determination of Applicant Qualification	25
Standards for Rejection	26
Mitigating Circumstances	28
Applicant Appeal/Hearing Conference	28
Certification	38
Attachment #1	40
A Limited English Proficiency (LEP) Services	41
Attachment #2	41
Attachment #3	42
Attachment #5	46
Attachment #6	48
Attachment #7	50
Attachment #8	56
Domestic Violence Programs Resources MASSACHUSETTS	65
Attachment #9	Error! Bookmark not defined.
OUTREACH LIST	Error! Bookmark not defined.

Affirmative Fair Housing Marketing Plan

AFHMP Certification Statement

As authorized representatives of Walnut Street Phase One 4 LLC and Peabody Properties, Inc. (*agent*), respectively, each of us has reviewed this plan and agrees to implement this AFHMP, which shall be made effective as of the approval date. Further, by signing this form, Walnut Street Phase One 4 LLC(*owner*) agrees to review and update its AFHMP as necessary to comply with all applicable statutes, regulations, executive orders and other binding EOHLC requirements pertaining to affirmative fair housing marketing and resident selection plans reasonably related to such statutes, regulations, executive orders, as same may be amended from time to time. We hereby certify that all the information stated herein, as well as any information provided herewith, is true and accurate.

Owner Signature

Management Signature

Signature Date

Signature Date

General Site Information

Project Description

Walnut Street Phase One 4% (the "Project"), will be a three story building containing 80 one bedroom apartments and associated office and amenity space. The building which will be one of three buildings will be developed as a multiphase community for seniors 55 + and disabled residents in Foxborough Massachusetts. The site for the 200 unit multiphase community totals approximately 15.5 acres and will be accessed from Walnut Street. The construction of the building will be completed to comply with to Passive House Standards (PHIUS). The residents will have access to shared community spaces located within all three buildings including, a common community room, activity rooms, a fitness room, pay for use laundry centers and electric vehicle charging stations, a mail and package room, outdoor patio and sitting areas as well as outdoor recreational areas. ,

Units will have vinyl floor plank, central ac/heat , stainless kitchen appliances, one bathroom with vinyl flooring and walk in showers. The Units will be pre-wired for telephone and cable hookups and will have a video intercom device for guest access.

Unit Composition

The Walnut Street Phase One 4% will consist of Eighty (80) One-Bedroom units. Eight (8) units will be fully handicapped accessible.

Eligibility

Of the 80 one-bedroom rental apartments, Twenty (20) units will be set aside for households earning at or below 30% of Area Median Income ("AMI") for the Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area and have a subsidy through a PBS8 voucher or a MRVP voucher, and sixty (60) units will be set aside for households earning at or below 60% of AMI.

Utilities

Residents will be responsible for paying for unit electricity including cooking and lights. Owner will pay for heating /cooling, domestic water, sewer, and trash.

Preferences/Restrictions

There will be a local preference for up to 70% of the units will be in place for the Lottery initial lease up period. For the purposes of this condition, Local will refer to anyone who currently resides in the Town of Foxborough.

This project will be restricted for occupancy by households with at least one disabled member or households with one member who is age 55 and above.

Accessible Units

Eight (8) Units will be accessible to individuals with mobility impairments and at least two (2) additional

unit will be accessible to individuals with sensory impairments. Two of the eight units set aside for individuals with mobility impairments are reserved for Person Considered Eligible (PCE) in accordance with the CBH regulations. First preference for units accessible or adaptable for occupancy by disabled persons shall be given to such disabled persons, including single person households, in conformity with state and federal civil rights laws. Households with disabilities must not be excluded from a preference for a larger unit based on household size if such larger unit is needed as a reasonable accommodation.

Unit Distribution: 80 Units

LIHTC Units: Eighty (80) units will be LIHTC assisted, Sixty (60) of which are restricted to households with incomes at or below 60% of Area Median Income (AMI) and Twenty (20) restricted to households with incomes at or below 30% AMI.

ARPA -1 Units: Eighty (80) units will be LIHTC assisted, Sixty (60) of which are restricted to households with incomes at or below 60% of Area Median Income (AMI) and Twenty (20) restricted to households with incomes at or below 30% AMI.

AHTF Assisted Units: All Eighty (80) units are assisted with Affordable Housing Trust Fund. AHTF units must be affordable to households at or below 110% of Area Median Income

HSF Assisted Units: All Eighty (80) units are HSF Assisted; and will be reserved for 50 years for households with incomes at or below 60% of Area Median Income (AMI) and Twenty (20) restricted to households with incomes at or below 30% AMI.

HTF Assisted Units: Twenty (20) units are assisted with National Housing Trust Fund. HTF units must be affordable to households at or below 30% of Area Median Income

HOME Assisted Units: Eleven (11) units are HOME assisted – Three (3) are reserved for Low Home at 50% Area Median Income (AMI) as long as a PBV/MRVP contract is active and Eight (8) are reserved for High home at 60% AMI.

CBH Assisted Units: Two (2) Units that are restricted to 30%-80% AMI and receive either a PBV or an MRVP subsidy will be designated as CBH units.

Unit Type	1-BR
By type: AMI%	
AHTF/HSF/LIHTC/ARPA *60%	60
AHTF/HSF/LIHTC/ARPA/ HTF *30%	20

TOTAL	80
*High Home	8
*Low Home	3

RENT LEVELS	1-BR
LIHTC 60%	\$1,578
30% Rental Assisted	*

***Tenant Rent share determined by EOHLC.**

Residents will be responsible for paying for unit electricity including cooking, heating, and lights. The utility allowances for the tenant paid utilities will be based on a utility allowance schedule to be provided by Zeffert prior to outreach/lottery.

Family Size	Maximum Income 30% of AMI	Maximum Income 50% of AMI	Maximum Income 60% of AMI	Maximum Income 80% of AMI
1	\$29,460	\$49,100	\$58,920	\$78,560
2	\$33,660	\$56,100	\$67,320	\$89,760

****** Median income levels are subject to change based on the Department of Housing and Urban Development's (HUD) guidelines (WWW.HUD.gov). The above limits are based on 2023 published limits 05/15/2022.

What is counted as Income: Any income received from any source. Examples are: Social Security, annuities, insurance policies, retirement funds, pensions, disability, employment, income from Assets, etc. Income is calculated as defined in 24 CFR part 5.

What is counted as an Asset: There is no asset limitation for participation in Tax Credit programs. However, the definition of annual income includes net income from family assets. Assets includes the following, but is not limited to, equity in real estate, personal property held as an investment, stocks, bonds, treasury bills, certificates of deposit, money market accounts. Interest or dividends earned are counted as income from assets even when the

earnings are reinvested. Individual retirement accounts and Keogh accounts, savings accounts, checking accounts, money market accounts, dividends from whole life Insurance policies, etc.

Fair Housing and Equal Opportunity

1. It is the policy of Peabody Properties, Inc., hereinafter referred to as the Agent, to promote equal opportunity and non-discrimination in compliance with, but not limited to, the following: Civil Rights Legislation (1964, 1968, 1988), Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act, as amended in 1995, Executive Order 11063, MGL Chapter 151B, the Fair Housing Amendments Act of 1988, the American with Disabilities Act of 1990, and any other legislation protecting the individual rights of residents, applicants or staff which may subsequently be enacted. Per the **Affirmative Fair Marketing Plan** Peabody Properties, Inc. prohibits discrimination in marketing, acceptance and processing of applications, tenant selection, unit assignments, the certification and recertification process and all other aspects of continued occupancy.
2. In carrying out this Resident Selection Plan, Peabody Properties, Inc. will afford **equal opportunities** and will not discriminate on the basis of race, color, creed, religion, national or ethnic origin, citizenship, ancestry, class, sex, sexual orientation, gender identity, familial status, disability or handicap, military/veteran status, source of income, age or other basis prohibited by Town, state or federal law.
3. **504/ADA Requirements** assure persons that in accordance with Section 504, Peabody Properties, Inc. will make reasonable accommodations for individuals with handicaps or disabilities (applicants or residents). Such accommodations may include changes in the method of administering policies, procedures, or services. In addition, the property may perform structural modifications to housing and non-housing facilities on sites where such modifications would be necessary to afford full access to the housing program for qualified individuals with disabilities/handicap.

504/ADA Requirements assure persons:

- Equal opportunity to participate in programs and services.
- No denial of right to dwelling.
- Equal opportunity to gain same benefits and services with no necessary differences or separateness.
- Provision of assistance in most integrated setting appropriate; and,
- Equal opportunity to serve on Boards.

Reasonable Accommodations

Applicants with Disabilities

It is illegal to reject an applicant because of disability or for reasons that could be overcome by a reasonable accommodation of the applicant's disability.

Applicants with disabilities are entitled to considerations to accommodate their special needs in addition to those afforded to all other applicants. If, even with reasonable accommodation, applicants with disabilities cannot meet the Resident Selection criteria, they will be rejected. Such insurmountable problems might arise because of behavior in past housing, inability to comply with the terms of the lease, poor credit, criminal activity, or needed lease-related services from the property staff that represent an undue financial or administrative burden or an alteration in the fundamental nature of the property.

Reasonable Accommodations

The ability of an applicant with a disability to care for a current apartment is evidenced by success or failure to care for past living arrangements. If past tenancies or living arrangements showed no problems, there will be no further inquiry. If past care of unit failed to meet screening standards, applicant may still be eligible if he or she can demonstrate that assistance with caring for the unit has been secured. Such assistance could be in the form of a live-in aide, or it could be a friend, family member, chore service or employee of the applicant. It is not the objective of the property to make judgments about the best way to provide assistance but simply to determine whether the assistance will enable the applicant to meet the screening criteria.

If some form of assistance is needed to enable an applicant to comply fully with the lease terms, screening staff will obtain verifications that such assistance is available to the applicant. The Certification of an Individual or Agency Providing Assistance Form will be used for this verification. Need for and efficacy of a proposed reasonable accommodation shall be verified on the Verification of Need for/Efficacy of Reasonable Accommodation. No reasonable accommodation shall be offered prior to receipt of positive verification.

Reasonable accommodation may take the form of adjustment of policies, practices, and services, where such adjustment offers an acceptable prospect of lease compliance in the previously unacceptable area of behavior. Where necessary and justified by verified circumstances, management will perform structural modifications to housing or non-housing facilities. Such structural modifications may occur in support of mitigating circumstances, reasonable accommodation, or entirely on their own merit. Structural modifications shall be performed only after having determined that the applicant is a qualified individual with a disability - that is, passes the screening criteria and is eligible under program definitions.

Accommodations, to be considered reasonable, must not cause undue financial and administrative burdens or an alteration in the fundamental nature of the housing program. Any applicant with a

disability who cannot meet the applicant screening criteria, considering possible mitigating circumstances, reasonable accommodations by the Agent, or services needed for lease compliance verified to be provided to the applicant by others, must be rejected.

Privacy Policy

It is the policy of the Agent to guard the privacy of individuals conferred by the Federal Privacy Act of 1974 and the Massachusetts Privacy Act, and to ensure the protection of such individuals' records maintained by the property.

Therefore, Agents shall not disclose any personal information contained in its records to any persons or agencies, unless the individual about whom information is requested has given written consent to such disclosure, or unless disclosure is otherwise in accordance with provisions in state or federal privacy acts.

This privacy policy in no way limits the property's ability to collect such information as it may need to determine eligibility, compute rent, or determine an applicant's suitability for tenancy. Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Fair Housing Amendments of 1988, any information obtained regarding disability will be treated in a confidential manner and used only for the purposes for which it is gathered.

Information obtained under Criminal Checks or Criminal Offenders Records Information (CORI) provisions shall be maintained in a confidential manner and used only for purposes allowed under the law.

The above policies in no way limit the right or duty of management company's staff to make use of abuse, neglect or other protective service or emergency reports. Additionally, such policies do not forbid management from sharing information in the public domain with service agencies.

Affirmative and General Marketing Outreach

Advertising

Affirmative Advertising will be placed in local and regional papers and newspapers that serve minority groups and groups protected under the fair housing laws. 30 days after affirmative marketing begins, General advertising will take place. Both the General and Affirmative advertising take place over a total of a 60-day period and be completed at least two times prior to the end of acceptance of Lottery applications. The detailed list attached identifies numerous organizations that outreach and focus on local community as well as general region to ensure that applicants of all backgrounds are reached.

General and Affirmative Action advertisements will be completed at least two times during the 120-day lease up period in the following publications and possibly other advertising vehicles as needed:

- Boston Herald/Boston Globe (General)
- Bay State Banner (General and Minority)
- SamPan (Asian)

General Publications will include the following publications for the region that should reach minority community:

- Foxboro Reporter
- The Country Gazette
- The Patriot Ledger

Affirmative Action

Outreach will be done to all applicable agencies, housing authorities, etc., to refer potential residents to the development.

The HUD Equal Housing Opportunity logo and slogan will appear on all marketing materials (including brochures, newspaper advertisements, and stationery). This “universal symbol of accessibility” will also appear, as appropriate, on all other related materials.

Marketing of these units will reach the linguistic minority communities by placement of advertisements in minority newspapers and linguistic supplements to local papers as identified herein. Translation services will be provided as necessary with PPI’s contracted service provider, **International Translation Company (ITC), 1807 Washington Street, Boston, MA 02118, 617-989-3939** which provides trained and certified interpreters for a wide range of languages including American Sign Language.

Based on the demographics of the area, Management will outreach to those minorities least likely to apply by advertising in the minority papers identified above. Additionally, local organizations that serve the minority population will be contacted. Based on Census data available, outreach will be done to all minority groups.

Demographic Breakdown

Area	Census Tract 4101	Foxborough Town	Norfolk County
White	87.3%	88.4%	78.2%
Black	8.9%	7.1%	9.0%
Asian	12.7%	8.6%	13.6%
Hispanic	6.6%	4.0%	5.2%

Other	3.4%	3.5%	5.5%
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Mailing List

Additional outreach will include notices to local fair housing commissions, area churches, local and regional housing authorities and agencies, civic groups, social service agencies and other non-profit organizations.

Community Outreach

Supplementing the above outreach efforts, we will also contact and establish rapport with community agencies and groups capable of providing access to individuals who would not be reached by other methods. Please see attached list of Community Outreach Agencies.

The Brochure

An eye-catching brochure will be developed to highlight the benefits of living at the development. Possible items to be included in the brochure are:

- A brief descriptive history of the property
- Layout, number, and type of apartments available
- Features and amenities of each apartment and the development as a whole, such as: Kitchen appliances, type of carpeting and flooring, laundry facilities, etc.
- A sketch of a typical apartment layout
- List of conveniences and necessities located nearby, such as: medical facilities, schools, colleges, public transportation, major highways, etc.

Strategy – Specifics

Nearby businesses will be canvassed. Additionally, we would establish a rapport with the Personnel Office of each business. We will motivate these businesses to consider the site as a viable option to meet the housing needs of their employees. A Marketing Representative will be designated to establish a friendly rapport, so they can visit and answer questions as needed. This individual will be strongly motivated and outgoing, possessing knowledge of both the community and marketing techniques. Local brokers, relocation companies and agencies will be solicited and utilized as needed. Open Houses, especially designed for the target group brokerage office and local business employees will be held frequently.

Other Marketing Activities

The Owner/Management Agent will hold an Open House/Informational session during the application period in the immediate neighborhood so applicants can easily pick up applications, ask questions and seek assistance with filling out their applications.

- Fair Housing Logo will be prominently displayed in the management office.

- The HUD Equal Housing Opportunity logo and slogan will appear on all marketing materials (including brochures, newspaper advertisements, and stationery). This “universal symbol of accessibility” will also appear, as appropriate, on all other related materials.
- All brochures, pamphlets and other literature will state: “Equal Housing Opportunity.”
- If human likenesses or models are used, they will reflect a mix of minority and majority models which reflect the fair marketing goals for the project. All marketing material, including brochures, leaflets and stationery will include the Fair Housing Logo and the words “Equal Housing Opportunity.”

Marketing of these units will reach the linguistic minority based on the Demographic Chart by placement of advertisements in minority newspapers and linguistic supplements to local papers. Translation services will be provided, as necessary. Please refer to LEP Services.

The application will be available on PPI WEB Site, via mail, at the Local Town Offices, and at public location(s) such as the Public Library. Exact location(s) to be determined and identified in the Advertising.

Public Informational Meeting

The Marketing Agent will offer two informational meetings for potential applicants to educate them about the lottery process and the housing development. The date and location of the meeting is an accessible, public location and advertised in advanced for full participation from the public interested and seeking affordable housing. These meetings may include local officials, developers, and local bankers. The date, time, and location of these meetings shall be published in ads and flyers that publicize the availability of lottery applications. The workshops shall be held in a municipal building, school, library, public meeting room or other wheelchair accessible space. At least one meeting will be held in the evening or on weekend days in order to reach as many potential applicants as possible. Attendance at a meeting is not mandatory for participation in a lottery.

As an alternative, an on-line webinar will be provided and made available on the property website throughout the outreach and lease-up period.

Marketing Outreach Agencies/Organizations

Agency/Organization	Racial/Ethnic Constituency(s)
Asian American Civic Association, Established in 1967 Advocacy Group for Asian/Pacific Islanders. 200 Tremont Street, Boston MA 02116 PHONE 617-426-9492, FAX 617-482-2316, Attn: Mary Cine or Housing Counselor.	Asian Populations
Foxboro Housing Authority established in 1948, 90 N. Carl Annon Court Foxborough, MA 02035 Phone: (508) 543-5960 FAX: (508) 698-0480 Kevin Fusco Executive Director	General/Minority Population
NAACP – Brockton Branch established in 1960s PO Box 1535 Brockton, MA. 02303 80 Legion Pkwy, Brockton, MA 02301, Phone: (781) 807-1092 President-Phyllis Ellis presidentphyllis@naacp-brocktonbranch.org	Black Populations
Foxborough Commission on Disability, Susan C. Collins, Chair; Foxborough Fair Housing Committee, Richard C Hobbs, Jr., Member, Foxborough Town Hall 40 South Street, Foxborough, MA 02035, 508-543-1206	Disabled and General Populations
Asian American & Pacific Islanders Commission, Established in 2006, Yasmin Padamsee Forbes, Executive Director One Ashburton Place, 12th Floor, Boston, MA 02108 617-367-9333 ext: 662 yasmin.padamsee@aapicommission.org	Asian Populations
Foxborough Council on Aging & Human Services, Marc Craig, Human Services Director, 75 Central Street, Foxborough, MA 02035, 508-543-7336 mcraig@foxboroughma.gov	Senior, General, Minority Populations

State fair housing law requires that all accessible rental units be listed with Housing Navigator Massachusetts – registry of accessible housing which can be contacted at <https://housingnavigatorma.org/>.

Tenant Selection Plan

Lottery Process

A Lottery shall be held to obtain eligible residents for the Walnut Street Phase One 4% (the “Project” units, said Lottery will be in full compliance with federal and state fair housing laws, whichever is more stringent. The Lottery will be conducted by Peabody Properties, Inc.

Advertising will be done in accordance with the Affirmative Fair Housing Marketing Plan and the lottery application period will be at least 60 days. To ensure the fairness of the application process, applicants will not be required to deliver application materials and instead will be permitted to mail them.

Milestone

START

Construction Start

March 2024

Affirmative Marketing Start*

February 28, 2025

General Marketing and Application Distribution*

March 28, 2025

Public Information Sessions

March – April 2025

Online Webinar available throughout outreach and lease-up

Application Deadline *

April 27, 2025

Lottery Date (Estimated)*

May 2025

Interview Process /Selection *

June 2025

Occupancy Start*

August 2025

*** Based on preliminary Construction Completion dates**

Application Intake and Processing:

The lottery application will address a household's:

- Income
- Assets
- Size and composition
- Minority status (optional disclosure by the household)

The Agent will make a preliminary determination of eligibility, based on the self-certified statement of the applicant as to income, assets, age, household size, disability status, and preference or priority status, if any. The Agent will request verification of eligibility for a preference prior to an applicant's inclusion in the preference pool.

The Agent will notify applicants who have not met threshold criteria and therefore are not eligible for any unit. The applicant will be sent a letter, within 30 days of the Agent receiving the completed application, explaining the reason(s) for ineligibility. If an applicant disputes the determination of ineligibility, applicant may contact the Agent within ten (10) days from the date of the notification letter, and the Agent shall conduct Conference Procedures. Appeals will be completed, prior to the time of the lottery, or unit(s) will be held on reserve, pending outcome of the appeal(s).

The Agent will notify applicants who, based upon the information supplied by the applicant, meet standard threshold criteria that they are eligible to participate in the lottery, and are informed of their application number.

Preference Categories, Establishing Preference

Preferences are not permitted if they in any way negate affirmative marketing efforts or fair housing obligations.

The following preferences apply to the Development:

• First preference (regardless of applicant pool) for the accessible units shall be given to persons with disabilities who need such units in conformity with state and federal civil rights laws. If there are no applicants who meet the designated preference, the units will be leased to otherwise, qualified low-income applicant with the applicable lease addendum signed.

• Second Preference - Local Foxborough Preference

To the maximum extent permitted by law, and applicable regulations, there will be a local preference for seventy percent (70%), or fifty-six (56) units. Preference will be given to:

(1) Current residents: A household in which one or more members is living in the city or town at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing or voter registration listing.

(2) Municipal Employees: Employees of the municipality, such as teachers, janitors, firefighters,

police officers, librarians, or town hall employees.

(3) Employees of Local Businesses: Employees of businesses located in the municipality.

(4) Households with children attending the locality's schools, such as METCO students.

This preference will not be applied to those units subsidized with a project based MRVP or Section 8 voucher.

Lottery Procedure

Once all required information has been received, qualified applicants will be assigned an application number. Only applicants who meet the eligibility requirements shall be entered into a lottery. Lottery Applicants must remain eligible during the Lottery process up to move in date.

The Agent will notify applicants who, based upon the *non-verified information supplied by the applicant*, meet standard threshold criteria that they are eligible to participate in the lottery, and are informed of the lottery date.

The lottery shall be conducted after any appeals related to the project have been completed and all permits or approvals related to the project have received final action. Applicants may, but not required, to attend the Lottery Drawing.

Applications bearing each applicant's name, I.D. code, or other identifier all will be placed on a spreadsheet that will determine each applicant's rank order for selection. There will be an electronic random sort to determine each applicant's lottery number. The lottery will be made available via a Zoom meeting for all eligible applicants to attend and observe.

After the lottery, each applicant is notified of his/her place on the appropriate master list. The Agent will use the master list to fill the lottery units. Units will be filled in order of lottery number, with the highest-ranking qualified applicants from the lottery master list who qualify for the appropriately sized unit that remain un-leased.

After the initial lottery, waiting lists will be analyzed, maintained, and updated (through additional marketing) so that they remain consistent with the objectives of the housing program and are adequately representative of the racial, ethnic, and other characteristics of potential applicants in the housing market region.

To make the best use of limited affordable housing resources, household size should be appropriate for the number of bedrooms in the home. A "household" shall mean one or more persons who will live regularly in the unit as their principal residence and who are related by blood, marriage, law or who have otherwise evidenced a stable inter-dependent relationship, or an individual.

1. Preferences

Lottery drawings shall result in each applicant being given a ranking among other applicants with

households receiving preference for units based on the above criteria below.

Applicable Preferences

First preference (regardless of applicant pool) for the accessible units shall be given to persons with disabilities who need such units in conformity with state and federal civil rights laws. If there are no applicants who meet the designated preference, the units will be leased to otherwise-qualified low-income applicant with the applicable lease addendum signed.

There will be a local preference for up to 70% of the units will be in place for the Lottery initial lease up period. For the purposes of this condition, Local will refer to anyone who currently resides in the Town of Foxborough. This preference will not be applied to those units subsidized with a project based MRVP or Section 8 voucher.

Restrictions:

This project will be restricted for occupancy by households with a disabled member or households with one member who is age 55 and above. To implement a 55 years and older restriction, the Project will adhere to the Federal Fair Housing Amendments Act of 1988 and the remedial amendment, The Housing for Older Persons Act of 1995 ("HOPA"). HOPA requires that the Project: i) will have at least 80% of the occupied units leased to tenants with at least one person 55 years or older; ii) will publish, advertise, and adhere to policies and procedures that demonstrate intent to comply with occupancy for 55 years and older; and iii) will comply with HUD regulations under 24CFR Parts 100-125 for HOPA compliance including verification of occupancy.

2. Maximum Household Size

Household size shall not exceed, nor may maximum allowable household size be more restrictive than, State Sanitary Code requirements for occupancy of a unit (See 105 CMR 400).

Accessible Units

The development will have eight (8) mobility adapted units and two (2) sensory adapted units. First preference for units accessible or adaptable for occupancy by disabled persons, regardless of applicant pool, shall be given to such disabled persons, including single person households, in conformity with state and federal civil rights laws. Households with disabilities must not be excluded from a preference for a larger unit based on household size if such larger unit is needed as a reasonable accommodation. Two (2) of the mobility adapted units are reserved for PCE as defined in the CBH Regulations.

At the conclusion of the rent-up period, the Agent will maintain a copy of the master lottery lists which includes each applicant's name, and contains the following information:

- Selection status (obtained housing, or reason they did not pass screening).
- Household size.
- Income category.

The Agent will retain a list of households who are not awarded a unit, in the order established from the lottery sort, based on lottery number. If any of the initial renters do not rent a unit, the unit shall be

offered to the highest ranked household on that retained list. This list may be retained and used to fill units for up to one year. However, other factors such as the number of households remaining on the list, the likelihood of the continuing eligibility of such households, and the demographic diversity of such households may inform the retention time of the list, subject to the approval of the Subsidizing Agency.

TENANT SELECTION

Project Based Vouchers

NOTE: The Section 8 Project Based Voucher Program will assist a total of eight (8) units. The subsidies will be project-based, and applicants will be selected under the terms of a Section 8 Housing Assistance Payment Voucher Agreement with the Owner that will be administered by the Community Teamwork Inc.

The applications for the eight (8) PBV units will be referred to SMOC by management and will be processed by Agent/Management for eligibility pursuant to the TSP and applicable regulatory guidelines SMOC will process for Section 8 eligibility.

The PBV waitlist is administered by Peabody Properties, Management Agent for the PBV units and these units will be included in the Lottery. Eight (8) units will be set aside for 30% AMI.

Additional qualifications for Section 8 Units

Student Eligibility Requirements

Eligibility restrictions have been imposed on students enrolled at institutions of higher education and seeking Section 8 assistance. Additionally, the Low-Income Tax Credit Program imposes additional restrictions on admission of students to the development.

No Assistance shall be provided under section 8 of the 1937 Act to any individual who:

- Is enrolled in an institution of higher education, as defined under section 102 of the Higher Education Act of 1965.
- Is under 24 years of age.
- Is not a veteran of the United States military.
- Is unmarried.
- Does not have a dependent child.

- Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible based on income to receive assistance under section 8 of the 1937 act.
- For a student under the age of twenty-four who is not a veteran, is unmarried, does not have a dependent child and who is seeking section 8 assistance, section 327(a) of the Act sets up a two-part income eligibility test.

Both parts of this test must be affirmatively met. That is, both the student and the student's parents (the parents individually or jointly) must be income eligible for the student to receive Section 8 assistance. If it is determined that the parents are not income eligible, the student is ineligible to receive Section 8 assistance.

If the student can demonstrate independence from his or her parent(s) the parent(s) income is not relevant. A student's independence from his or her parent's needs to be verified in determining the student's eligibility for assistance by taking into consideration all the following:

- The individual must be of legal contract age under state law.
- Reviewing and verifying previous address information to determine evidence of a separate household, the individual must have established a household separate from his or her parents or legal guardians for at least one year prior to the application for occupancy or verifying that the student meets the U.S. Department of Education's definition of "independent student*."
- Reviewing prior year income tax returns to verify if a parent or guardian has claimed the student as a dependent, the individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations (except if the student meets the Department of Education's definition of "independent student" *).
- Verifying income provided by the parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income.
- Note that the definition of "Independent Student" utilized by the Department of Education reads: "...a student must meet one or more of the following criteria:
 - Be at least 24 years old by December 31 of the award year for which aid is sought.
 - Be an orphan or a ward of the court through the age of eighteen.
 - Be a veteran of the U.S. Armed Forces.
 - Have legal dependents other than a spouse (for example, dependent children and an elderly dependent parent).
 - Be a graduate or a professional student; or,
 - Be married."

Financial assistance received in excess of amounts for tuition is to be counted as annual income to the student unless the student is over the age of 23 and has dependent children. Loans are not considered financial assistance for the purpose of determining annual income. If the student is not income-eligible when financial aid in excess of tuition is included in annual income, the student may not receive Section 8 assistance.

Citizenship Status

The final rule restricting assistance to noncitizens was published March 20, 1995, and is effective June 19, 1995. The rule requires that all assisted household members declare themselves as U.S. citizens or submit evidence of eligible immigration status to receive or continue receiving assistance. Households containing ineligible members may be eligible to receive either continued or prorated assistance, under certain circumstances. Prior to denial or termination of assistance, appeal and hearing procedures must be made available to the family.

Household Size

Household size should be appropriate for the number of bedrooms in the home. It is appropriate to set a minimum. A maximum household size for the units may be established provided that:

- Maximum allowable household size may not be more restrictive than the State Sanitary Code or applicable local bylaws and may not violate state and federal civil rights laws.

After Lottery

On an annual basis outreach will be done in accordance with AFHMP. The waitlist if any and any applications received will be monitored and advertising and outreach will be supplemented as needed to assure that the local preference will not have a disparate impact on protected classes and that they remain consistent with the objectives of the housing program and are adequately representative of the racial, ethnic, and other characteristics of potential applicants in the housing market region.

Lottery Waitlist Management

After the initial lottery, waiting lists will be analyzed, maintained, and updated (through additional marketing) so that they remain consistent with the objectives of the housing program and are adequately representative of the racial, ethnic, and other characteristics of potential applicants in the housing market region. It is not anticipated that the waitlist will be closed at any time.

At the conclusion of the rent-up period, the Agent will maintain a copy of the master lottery list which includes each applicant's name, and contains the following information:

- Selection status (obtained housing, or reason they did not pass screening).
- Household size.
- Income category.

The Agent will retain a list of households who are not awarded a unit, in the order that they were sorted via the electronic sort. If any of the initial selected applicants do not rent a unit, the unit shall be

offered to the highest ranked household on that retained list. This list may be retained and used to fill units for up to one year. However, other factors such as the number of households remaining on the list, the likelihood of the continuing eligibility of such households, and the demographic diversity of such households may inform the retention time of the list, subject to the approval of the Subsidizing Agency.

Qualification for Admission

EOHLC Conflict of Interest Requirements

Conflicts Prohibited

(a) Walnut Street Phase One 4% LLC and Peabody Properties, Inc., as its Agent, agree that no unit will be rented to an employee, agent, developer, or sponsor of either Walnut Street Apartment Phase One 4% LLC or Peabody Properties, Inc. (when acting as the Agent).

This policy is intended to comply with Rule 24 CFR Part 92.356(f), which states that no owner, developer or sponsor of a project assisted with HSF or HOME Funds (or officer, employee, agent or consultant of the owner, developer or sponsor) whether private, for profit or non-profit (including a community housing development organization (CHDO) when acting as an owner, developer or sponsor) may occupy an assisted affordable housing unit in a project

(b) No persons described as *Persons Covered* below who exercises or have exercised any functions or responsibilities with respect to activities assisted with EOHLC, or who are in a position to participate in a decision making process or gain inside information with regard to these activities, may obtain a financial interest or benefit from a EOHLC, assisted activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

Persons Covered

The conflict-of-interest provisions in (b) under *Conflicts Prohibited* above apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the participating jurisdiction or EOHLC.

Exceptions

This policy does not apply to property managers or a member of the maintenance staff who occupy a EOHLC, HSF, assisted unit as a function of their position.

Upon written request, the U.S. Department of Housing and Urban Development, the town of Dartmouth and EOHLC may grant exceptions and waive this provision on a case-by-case basis given the following circumstances:

- the individual is in the low-income category eligible for HSF, assisted program.
- the individual no longer has responsibilities associated with the specific HSF, assisted property.
- the affirmative marketing plan to lease available HSF, etc. units has been enforced.

Conflict of Interest Procedure

Determination regarding eligibility for the HSF, and conformance with the HSF, Conflict of Interest policy will be made for each individual applying for available HSF, assisted units based upon the information provided in their rental application and interview.

The Agent will develop procedures for addressing potential conflicts of interest in connection with activities assisted with EOHLC HSF funds.

Verification Requirements

Types of Verifications Required

- Eligibility for admission (income, assets, asset income, family composition, age or disability status where applicable, social security number or waiver,); Applicant will be required to provide the prior year tax returns with the W-2 form; five (5) most recent pay stubs for all members of the household who are working, three (3) most recent bank statements and other materials necessary to verify income or assets.
- Compliance with Selection Criteria (ability and willingness to pay rent and abide by lease, history of tenancy, or other living arrangements, caring for a home, criminal activity of any family member).
- All Qualified Applicants, at the time of in-person interviews may be requested to submit **consecutive rent receipts** for six (6) months prior to the interviews for examination for the purpose of verifying residence, rental amount, and timely payment history. The exception to this is Qualified Applicants who have been residing with friends or relatives and who have no prior leasing experience for the last year or more.
- **Acceptable references from current and former landlords** covering a period of five (5) years or from the last two (2) successive tenancies, whichever is greater may be required. Qualified applicants who have no prior leasing experience of their own and no credit or stable employment history will be given all due consideration regarding personal references.
- Credit history.
- Criminal Check including Sex Offender screening.
- Allowances, (age, disability, student status, childcare costs, disability expenses, medical costs {elderly households}).
- Programmatic Preferences, if any, or other preferences as may apply.

All of the above information must be documented, and appropriate verification forms or letters placed in the applicant/resident file.

The screening of live in aides at initial occupancy, and the screening of persons or live in aides to be added to the tenants' households after initial occupancy must include screening for drug abuse and other criminal activity. Any live in aides and additions to the households are subject to all established applicant screening criteria. (Note: With the exception to the ability to pay rent for the live in aide).

Duration of Validity for Verification Information

Only verified information that is less than 120 days old may be used for certification or recertification. Information obtained which is subject to change, and for which verification are more than 120 days old, must be re-verified. Verified information not subject to change (date of birth, alien status) need not be re-verified.

Forms of Verification

Verifications shall be attempted in the following order.

- Third party written.
- Review of documents provided by the applicant.
- Third party oral with a record kept in the file.
- (In the absence of any of the above) Affidavits from the applicant(s)

Each file will be documented to show that the staff attempted to obtain third-party written documentation before relying on a lesser acceptable form of information.

Determination of Applicant Qualification

Listed below are the methods by which every applicant's performance relative to the resident selection criteria will be evaluated. Consideration is based on past performance meeting financial obligations, especially rent. This will be evaluated by one or more or all of the following methods:

- References from landlords or non-traditional housing (such as shelters) in the last five years or from the last two successive tenancies, or living arrangements, or other officials at other places of residence, whichever is greater.
- Credit references furnished by a credit bureau. Information considered should not be more than five (5) years old.
- Personal references.
- Record of prior criminal history including sex offender search; and
- Verification of income and assets from a present employer, appropriate agency, financial institution, or other appropriate party.

Credit Check

- All accounts will be reviewed. If there are negative reports and applicant is otherwise acceptable, applicant will be provided with an opportunity to provide additional information to explain the negative report. Such information shall be in writing and shall provide written evidence, where possible, to explain the negative report. If these are satisfactory, applicant may be accepted.
 - If applicant is rejected based on poor credit references, he/she will be provided with the name, address, and telephone number of the credit bureaus, and be given the opportunity to have the report corrected, if erroneous. This should be done in accordance with the particular credit bureau's instructions.
- An unsatisfied judgment shall be deemed to constitute poor credit resulting in rejection of the

applicant.

Note: Lack of credit history is not sufficient justification to reject an applicant.

Standards for Rejection

The following *mandatory* provisions prohibit admission to applicants who fit into the following categories:

- Any household member has been evicted for drug-related criminal activity, for three (3) years from the date of eviction. If the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program or circumstances leading to the eviction no longer exist, the Owner may, but is not required to, admit the household.
- Any household member is currently engaging in illegal drug use.
- The Owner determines that there is reasonable cause to believe that a household member's illegal use or a pattern of illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. (Examples of evidence of illegal activities may include a conviction record, former landlord references, etc.).
- Any member of the household is subject to a lifetime registration requirement under a state sex offender registration program. In accordance with Federal law, Owners shall establish standards that prohibit admission to any Federally assisted property to sex offenders subject to a lifetime registration requirement under a state sex offender registration program. During the admissions screening process, the Owner must perform the necessary criminal history background checks in the state where the housing is located and in other states where the household members are known to have resided.
- The Owner determines that there is reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Owner also has the discretion to prohibit the admission of a household with a household member who is currently engaging in, or has engaged in during the previous five (5) years before the admission decision in:

Drug-related criminal activity; Violent criminal activity; Other criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; or Other criminal activity that would threaten the health or safety of the Owner or any employee, contractor, subcontractor or agent of the Owner or Owner who is involved in the housing operations.

Moreover, Management has the discretion to reconsider an applicant who was previously denied admission because of a determination concerning a member of the household who has been engaged in criminal activity. Management may admit the household if the household member is not currently engaged in, and has not engaged in, the criminal activity described above during a five-year period before the admission decision.

Sufficient evidence must be submitted by the household member which includes (1) a certification that states that she or he is not currently engaged in such criminal activity and has not engaged in such criminal activity during the specified period and (2) supporting information from such sources as a probation officer, a landlord, neighbors, social service agency workers or criminal records that were verified by the Owner.

Additional Rejection Standards

An applicant and the applicant household shall be disqualified for any of the following reasons:

- The applicant or household member has disturbed a neighbor or neighbors in a prior residence by behavior, which if repeated by a tenant would substantially interfere with the rights of other tenants to peaceful enjoyment of their units.
- The applicant or a household member has caused damage or destruction of property at a prior residence, and such damage or destruction of property, if repeated by a tenant, would have a material adverse effect on the housing development or any unit in such development.
- The applicant or a household member has displayed living habits or poor housekeeping at a prior residence, and such living habits or poor housekeeping, if repeated by a tenant, would pose a substantial threat to the health or safety of the tenant or other tenants or would adversely affect the decent, safe and sanitary condition of all or part of the housing.
- The applicant or household member in the past has engaged in criminal activity, or activity in violation of M.G.L. c. 152B, §4, which if repeated by a tenant would interfere with or threaten the rights of other tenants to be secure in their persons or in their property or with the rights of other tenants to the peaceful enjoyment of their units and the common areas of the housing development.
- The applicant or any household member who will be assuming part of the rent obligation has a history of non-payment of rent and such non-payment, if repeated by a tenant would cause monetary loss; provided, however, that if the applicant or household member paid at least 50% of his/her household's monthly income for rent each month during a tenancy but was unable to pay the full rent, an eviction for non-payment of the balance shall not disqualify such individual from housing pursuant to this paragraph.
- The applicant or a household member has a history of failure to meet material lease terms or the equivalent at one or more prior residences, and such failure if repeated by a tenant would be detrimental to the housing development or to the health, safety, security, or peaceful enjoyment of other tenants.
- The applicant has failed to provide information reasonably necessary for the housing provider to process the applicant's application.
- The applicant has misrepresented or falsified any information required to be submitted as part of the applicant's application or a prior application submitted within the last three years, and the applicant fails to establish that the misrepresentation or falsification was unintentional.
- The applicant or a household member has directed abusive or threatening behavior which was unreasonable and unwarranted towards a management agent's employee during the application process or any prior application process within three (3) years.
- The applicant does not intend to occupy housing, if offered, as his/her sole residence.

- The applicant or household member is a current illegal user of one or more controlled substances as defined in M.G.L. c. 94C §1. A person's illegal use or possession of a controlled substance within the preceding twelve months shall create a presumption that such person is a current illegal user of a controlled substance, but the presumption may be overcome by a convincing showing that the person has permanently ceased all illegal use of controlled substances. This disqualification of current illegal users of controlled substances shall not apply to applicants for housing provided through a treatment program for illegal users of controlled substances.
- Prior rental payment history - Those applicants whose receipts evidence a past due payment record (more than ten (10) days past due on two (2) or more occasions) will be rejected on the basis of poor rental habits.

Mitigating Circumstances

Mitigating circumstances are facts that can be verified that would overcome or outweigh negative information already gathered in the resident screening process. Management will consider extenuating circumstances in evaluating information obtained during the screening process to assist in determining the acceptability of an applicant for tenancy. Mitigating circumstances will be verified and the verifier must corroborate the reason given by the applicant for unacceptable tenancy-related behavior and indicate that the prospect for lease compliance in the future is good, because the reason for the unacceptable behavior is either no longer in effect or otherwise controlled.

Where applicants claim that prior unacceptable tenancy-related behavior resulted from alcohol abuse or use of illegal drugs, acceptable verification of mitigating circumstances would have to establish that:

- There is no current use of alcohol or use of illegal drugs.
- During the period for which the applicant has claimed no current use, the applicant's behavior in the previously unacceptable tenancy-related area must have been acceptable.
- Unacceptable behavior shall be taken to construe that either the applicant's unsuitable behavior was not caused by alcohol or drug abuse, or the applicant is still engaging in alcohol or drug abuse. In any case, a confirmed unacceptable tenancy-related behavior will result in a rejected application for applicants in this category.

The property shall also have the right to request further reasonable information needed to verify the mitigating circumstances, even if such information is of a confidential nature. If the applicant refuses to provide or give access to such further information the property will give not further consideration to the mitigating circumstance.

Mitigating Circumstances must also consider rent burden if an applicant can demonstrate a history of satisfying a higher rent burden than the agent normally employs.

Applicant Appeal/Hearing Conference Procedures

The following procedures shall apply at the informal hearing:

- The hearing will be conducted by an employee of Peabody Properties selected to act as hearing officer within 15 days of the receipt of the appeal.
- Each party shall have the right to be represented by counsel, at their own expense.
- Each party shall have the right to present and establish all facts by oral testimony and/or by documentary evidence.
- The applicant and the managing agent shall have the right to cross-examine witnesses. However, neither party is required to produce live witnesses at the informal hearing.
- The applicant shall have the right to review his entire application file prior to the informal hearing unless other arrangements are made by agreement. The applicant must be given an opportunity to review the application file at least thirty minutes prior to the informal hearing. Any document not made available to the applicant prior to the informal hearing may not be relied upon by the managing agent at the hearing.
- Within five (5) days after the informal hearing, the hearing officer shall issue a written decision on the applicant's request for review of the managing agent's determination of ineligibility.
- The written decision must briefly set forth the reasons for the decision and must be based solely on the evidence presented at the hearing and applicable statutes and regulations.
- The hearing officer shall promptly mail a copy of the written decision to the parties and their counsel, if any, upon issuance of the decision.

**The Walnut Street Phase One 4% TENANT
SELECTION PLAN RIDER**

**REQUIRED PROVISIONS FOR
EOHLC HOME, HSF, AHTF and LIHTC
(Collectively “Program Funds”)**

NOTE: This attachment is annexed to and made a part of the Tenant Selection Plan (the “Plan”) for the Walnut Street Phase One 4% (the “Development”), and evidence additional requirements governing the selection of tenants for affordable units at the Development under housing subsidy programs.

Lender Funds

The Development is the recipient of HOME Investment Partnerships Program funds (HOME), Housing Stabilization Fund (HSF), AHTF, and Federal Low Income Housing Tax Credits, and is subject to all program requirements of the HOME, HSF, AHTF, Federal Low Income Housing Tax Credits and other loan programs, including applicable affordable housing restrictions.

The HOME and HSF programs require that income be to be calculated per 24 CFR Part 5, when not in conflict with other program requirements, and HUD’s “Technical Guide to Determining Income and Allowances for the HOME Program.”

Lender Review

As the Development is the recipient of funding from the Massachusetts Executive Office of Housing and Livable Communities (“EOHLC”), all revisions to the Development’s Tenant Selection Plan are subject to the review and approval of EOHLC.

ADDENDUM TO TENANT SELECTION PLAN-PBV

**DEVELOPMENT NAME: The Walnut Street Phase One 4%
55 Walnut Street
Foxboro, MA**

The Section 8 PBV and MRVP Waiting List will be maintained by Peabody Properties.

A. Introduction

The Executive Office of Housing and Livable Communities (EOHLC) has awarded the following number, of Project Based Vouchers (PBVs) and Massachusetts Rental Program Vouchers (MRVPs) to the above referenced Development:

PBVs: Eight (8) – One (1) one-bedroom unit at 30% AMI,
MRVPS: Twelve (12) – one-bedroom units at 30% AMI

The SMOC will administer the PBVs, on behalf of EOHLC.

Notwithstanding anything to the contrary in the Project's Affirmative Fair Housing Marketing Plan and Management/Tenant Selection, the following will be incorporated into the Project's AFHMP and TSP for all units covered by EOHLC project-based vouchers through the Housing Choice Voucher Program (HCVP) under Section 8.

- EOHLC and its authorized representatives shall have full access to the waiting list and all applicant and tenant files and documentation.
- The owner/management agent must give prior written notice to EOHLC and its authorized representatives if the waiting list will be closed or re-opened.
- The owner/management agent must receive prior written approval from EOHLC or its authorized agent for any proposed changes to this plan.
- The owner/management agent agree to comply with any reporting requirements by EOHLC and its authorized representatives.
- Once a potential applicant has been approved by the owner, the owner will submit the applicant's information to the RAA for final Section 8 PBV approval. Upon approval by the RAA, the owner may offer the unit to the applicant.
- All tenant moves/transfers to other units must be approved by the RAA prior to the move/transfer.

B. Income Eligibility for PBV Units

- The income limits for all eight (8) PBV units is 30% of area median income.

C. Processing of Applications

In general, applications shall be processed in accordance with the following steps:

Receiving and Recording – Upon receipt of an application to housing, the Agent shall indicate on the application the date and time received, either by using a date and time stamp, or by writing and initialing the date and time received.

Review for completeness - Applications shall first be reviewed for completeness. Incomplete applications shall be rejected and returned to the applicant. Applications shall not be evaluated until all of the required information has been provided.

Preliminary determination of program ineligibility - Completed applications shall be reviewed for income eligibility and compliance with any categorical eligibility requirements for the program, such as age or disability. Applications determined ineligible shall be rejected in accordance with procedures outlined herein.

Preliminary determination of program eligibility - When there are more applicants on the waiting list than units currently available, and the anticipated duration of the waiting list exceeds ninety days, the Agent shall make a preliminary determination of eligibility, based on the applicant's self-certified statement as to his or her income, assets, age, disability status, and preference or priority status. Applicant shall be notified of the status of his/her application in accordance with procedures outlined herein.

Waiting List Placement- Once a fully completed application is determined to meet income eligibility requirements and the household composition is determined appropriate for a unit at the Development, the applicant shall be placed on the appropriate waiting list(s). Assignment to a position on the waiting list shall be based on the preliminary determination and shall be formally verified as the applicant's name advances on the waiting list. However, if the anticipated duration on the waiting list is less than 90 days, formal verification shall be required immediately. The applicant shall be placed on the waiting list, by date of receipt of the completed application within the correct income category and then within the correct preference category as applicable. Applicants eligible for handicapped accessible units must be placed on lists for both accessible and standard units.

To prevent a disparate impact on persons with disabilities who require a reasonable accommodation with the application process (including additional time to receive, complete, and/or submit an application), and who therefore may be disadvantaged by wait list placement based upon date/time of Agent's receipt of the application, the application will be date/time stamped prior to being mailed or otherwise provided to such applicants.

Formal verification – If, subsequent to the preliminary determination of eligibility, the Agent determines that the formal verification of income, assets, or claimed priority status differs from the applicant's self- certification, the applicant may be:

- reassigned to another waiting list (i.e., smaller, or larger bedroom size).
- reassigned to a different preference status; or
- determined ineligible.

D. Notification of Decision on Application

The Agent shall send a written response to the applicant advising such applicant of the status of the application. The response shall be mailed not more than thirty days from the date of receipt of the application. Alternate formats for responding to an applicant with a disability shall be provided upon applicant's request. If the Agent has not decided to reject the applicant, the written response shall include the status of the application with respect to:

- result of the preliminary determination of eligibility.
- position on the waiting list.
- estimate of the time it may take before the applicant will be offered assistance.
- notice that the applicant is responsible for reporting changes in address, phone number, and preference status.
- where applicable, the applicant's qualification for a preference(s) for admission; and
- a statement that the applicant has the right to meet with the Agent to discuss the determination made with respect to the application.

E. Provisions Relating to Rejection of an Application.

If the applicant is not accepted, or is not placed on the waiting list for admission, the Agent shall follow the procedures noted above and shall include the following in its written response to the applicant:

- the reason(s) for the rejection.
- notice that the applicant or his or her representative, prior to or at the conference with the Agent, has the right to inspect the documentation on the basis of which the rejection was made and any other documentation pertinent to the applicant's eligibility, suitability, qualification or entitlement to priority or preference status. The Agent shall make reasonable arrangements for photocopying any such documentation as the applicant may specify with sufficient advance notice, except that in the case of a credit report, the applicant shall obtain the report from the credit reporting agency.
- notice that the applicant has five business days to request a conference with the Agent to contest the rejection, and alternatively, in the case of Federally Assisted Housing units, fourteen days to respond in writing or request a meeting with the Agent to dispute the rejection; and
- notice that the applicant has the right to request a reasonable accommodation if the applicant believes that, with such an accommodation, the applicant would be suitable for admission and that the applicant was rejected for a reason arising from the applicant's disability.

Who Determines Tenant Eligibility for Preference for Disabled Households Needing Services?

The owner/project sponsor must identify in their application which professional organization and/or independent individual(s) will make the assessment that a disabled applicant meets the HUD criteria listed in the section titled "Preference for Disabled Households Needing Services" of this Chapter. Such professionals could include licensed medical, psychological, or allied mental health and/or human services professionals. Whomever the owner/project sponsor selects to make the assessment must sign a certification form that either attests to or rejects each applicant's need for services in accordance with said section. **See attached sample.**

F. Waiting Lists

1. The Agent shall establish and administer its PBV Waiting Lists in accordance with the following policies.
 - Waiting lists shall be maintained in either a bound ledger or on a computer report. A printed copy of the waiting list shall be prepared, prior to the annual update, and maintained for three years.
 - Waiting lists must include the following data taken from the application:
 - Date and time the applicant submitted the application.
 - Name of the head of household.
 - Annual income level (used to estimate levels for income-targeting i.e., extremely low-income, very low-income, low-income, and moderate income).
 - Identification of the need for an accessible unit, including the need for accessible feature i.e., visually or hearing impaired.
 - Preference status; and
 - Unit size.
2. Waiting lists shall be organized by type of unit (subsidy, physically adapted unit, etc). A separate list is required for every type of unit. "Type of unit" is defined in several ways, including:
 - the number of bedrooms, as well as the number of bathrooms, or ancillary rooms.
 - the building structure, such as a townhouse versus a garden-style unit.
 - the physical characteristics of the unit, such as accessible features.
 - the type of subsidy attached to the unit, such as project-based subsidy.
 - the distinction between subsidy types such as interest subsidy (basic rent units) and deep subsidy (low rent units); and
 - units which are intended for occupancy by elderly persons.
3. Each applicant must be placed on the appropriate waiting list(s) chronologically according to the date and time of the completed application within the applicable preference categories. Non-preference applicants shall be placed on the waiting list per the date and time of the completed application.
4. Households that are eligible for more than one size of unit (by bedroom size) may choose to be placed on multiple waiting lists, as appropriate, and the Agent shall respect the bedroom size option chosen by the applicant unless such choice violates the state sanitary code, other applicable laws, or the Development's Occupancy Policy. Persons using a wheelchair or requiring similar accommodations may apply for a standard unit, as well as an accessible unit, in their discretion.
5. The Agent's records shall indicate the date the applicant is placed on the waiting list. Whenever a change is made in the waiting list, an action is taken, or an activity specific to an applicant occurs, a notation must be made on the waiting list.
6. The waiting list may be closed for a specific unit size or type if the projected turnover rate indicates that an applicant would be unable to obtain a unit within one year. Before closing a waiting list, the Agent must notify EOHLC. Thereafter, the Agent shall post a notice at the Development that indicates the date the list will be closing. Notice must be in 14 points (or larger) print and in an accessible location(s).

7. When an applicant pool is not large enough to warrant the closure of the waiting list, the list shall be re-opened. EOHLC must receive written notification of the list's reopening, and public notice shall be placed in area publications and as otherwise required by the Development's Affirmative Fair Marketing Plan. The public notice should include rules for applying and the order in which applications will be processed.
8. Waiting lists shall be updated every twelve months.
NOTE: Prior to removing an applicant's name from the waiting list, the Agent shall send written notice of the action, or notice in requested alternate format, to the applicant, at the applicant's address of record, or to any person designated by the applicant to receive a copy of such notices as a form of reasonable accommodation. A copy of the standard notice of removal is attached to the Plan.
9. The status of waiting lists (i.e., whether open or closed) shall be reported, upon change.

G. Project Based Voucher Wait List Closing/Reopening

In the event that the Project Based Voucher waiting list is closed, the waiting list will be re-opened when the projected turnover rate no longer indicates that an applicant would be unable to obtain a unit within one year.

Upon reopening of the Project Based Voucher waiting list pursuant to the foregoing paragraph, new applications will be accepted for a period of not less than 15 business days. The publications announcing the reopening of the waiting list shall specify the time period that applications will be accepted. Publications will include postings with Metrolist and Housing Navigator and marketing through other organizations and media in accordance with the approved Affirmative Fair Housing Marketing Plan.

After the close of the application period, a lottery will be held in accordance with any applicable guidelines pertaining to lotteries (including EOHLC's Affirmative Fair Housing Marketing Plan and Resident Selection guidelines, as such guidelines may be amended from time to time), subject to applicable, Fair Housing requirements. All eligible applicants will be placed on the appropriate unit waiting list after the last applicant on the current waiting list based on the order of the lottery drawing. If the waiting list is to remain open following the lottery, subsequent applicants will be placed on the waiting list according to submission date, first come, first served. Applicants will be informed in writing of placement on the Project Based Voucher waiting list within 30 days of the receipt of the application and completion of the lottery.

H. Vacancies- All tenant moves/transfers to other units as a result of any of the following program requirements must be approved by the RAA prior to the move/transfer.

Transfer of Existing Residents

In filling vacant units, the Agent shall first offer current residents the option to relocate to another unit in the Development, provided such residents meet one of the following transfer conditions:

Size of Family or Special Condition.

- Residents are housed in over-crowded conditions and have requested a larger unit appropriate for their household size.

- Residents are housed in units providing a greater number of bedrooms than warranted for their household size (such transfers are not volitional, and refusal to relocate by the household shall result in termination from the subsidy program upon thirty days' notice).
- Residents who require the features of an accessible unit, or require the features of another unit as necessary to provide a reasonable accommodation, provided that verification of the need has been made by the Agent; and
- Residents who occupy, but do not need the features, of an accessible unit if another resident or applicant needs an accessible unit (such transfers are not volitional, and refusal to relocate by the household shall result in termination from the subsidy program upon thirty days' notice).

The Agent shall maintain a formal waiting list for current residents seeking to relocate to other units pursuant to these conditions. When a vacancy occurs, the Agent shall determine if a transfer is warranted from the internal waiting list before proceeding to the external waiting list to select an applicant for the vacant unit.

Filling of Vacancies

In the event that there are no current residents of the Development to fill the vacant unit, the Agent shall offer the vacant unit to the next qualified applicant for that unit type found on the waiting list.

If there are no qualified applicants for the unit type on the waiting list, the Agent shall advertise the unit for rent in accordance with the Development's AFHMP.

Filling Accessible Units

The owner/project sponsor must make every effort to rent to eligible households that would benefit from the unit's accessibility features and must list accessible units with the Mass Accessible Housing Registry. The owner should also notify all local and regional disability organizations of accessible PBV unit availability. The regional HCEC should be able to assist with these referrals.

I. Project Based Voucher Program Occupancy Requirements (24 CFR 24 part 983.260)

All tenant moves/transfers to other units as a result of any of the following program requirements must be approved by the RAA prior to the move/transfer.

Adding a Family Member

If a request from the family to add another member that is not by birth, adoption, or court order would cause the family to breach HQS space requirements, such request must be denied by the owner and the RAA. If such family has been in good standing for at least two years at the time of the request to add a member, then the request may be approved if the RAA has a tenant-based voucher to issue to the family or there is an available PBV unit of appropriate size for the new family composition in the building.

Under-Housed

Should a change in family size or composition cause a family to become under-housed to the point of causing the unit to be non-compliant with HQS space requirements and there is either an available appropriately sized PBV unit or a tenant-based voucher available for the family, it must relocate with assistance or be terminated from the program. If there is no voucher available to issue to the family or an available comparable PBV unit to which the family may relocate, the family will remain in place

without penalty to the owner until the family can relocate with assistance.

Over-Housed

If a family becomes over-housed due to a change of family size or composition after the first year of tenancy, the family must relocate at their expense to a smaller PBV unit or accept a voucher to relocate. If there is not appropriately sized comparable PBV unit or voucher available for the family, it may remain in place with no reduction in the contract rent until such time as there is either a voucher or unit available. If the family has failed to move with assistance within two months to a suitably sized PBV unit or moved within the voucher term limit (and any approved extensions) the family must be terminated from the program. If the project is partially assisted, the owner may request to substitute another comparable unit for the one that is ineligibly occupied.

Inappropriately Housed in an Accessible Unit

The RAA must utilize a lease addendum that requires an inappropriately housed family to move from an accessible unit when a family that needs the accessibility features is identified for the unit. In order to minimize loss of income to a project, an accessible unit may be leased to a family that does not require the unit's special features under the following circumstances: 1) it has been vacant for at least 45 days, and, 2) both the RAA and the owner/project sponsor have exhausted their respective outreach sources to identify a family that would benefit from the unit's accessible features. Because such a family is inappropriately housed, they must be required to sign a lease addendum prior to initial occupancy agreeing to move from the unit. If there is a suitable PBV unit available within the project, the inappropriately housed family must be offered the opportunity to move to that unit. If there is no PBV unit available, the RAA will issue an available tenant-based voucher to the family.

J. PBV Opt Out

All PBV families that wish to move must submit a written request to opt out. An RAA may not accept a written request to opt out prior to the participant's two-year anniversary date. If the participant family is in good standing when their request is submitted the RAA will date and time stamp the request and place the participant on the standard voucher wait list with a voluntary opt-out preference for the region that administers the Project-Based assistance.

K. PBV – Section 8 Unit Size Occupancy Requirements

- An applicant is not eligible for a unit having a number of bedrooms that would result in unlawful overcrowding of the unit under the Massachusetts State Sanitary Code.
- An applicant may be eligible for more than one bedroom size.
- Acceptance of a unit that is smaller than the maximum sized unit the tenant qualifies for, does not give the tenant the right to claim overcrowded conditions and request a transfer to a larger unit, unless the family size changes.

Maximum Unit Size

The following standards are taken from EOHLC's HCVP Administrative Plan and are used to determine the "voucher size for tenant-based vouchers." For PBV applicants, these standards are used to determine the "**maximum number of bedrooms**":

Applicants will be assigned one bedroom for each two persons within the household.

L. Record-Keeping

The Agent must retain current applications as long as their status on the waiting list is active. Once the applicant is taken off the waiting list, the Agent must retain the application, initial rejection notice, applicant reply, copy of the Agent's final response, and all documentation supporting the reason for removal from the list for three years.

When an Applicant moves in, the Agent must retain the application, supporting documentation (including the Agent's verification efforts) for the duration of the tenancy and for three years after the tenant leaves the property.

The Agent must maintain the applicant and tenant information in a way to ensure confidentiality. **The confidentiality of records containing criminal background checks and other personal information are regulated by state and federal law and carry penalties for negligent disclosure and improper use. The Owner should consult with counsel to ensure compliance with state and federal record retention and disclosure laws.**

M. Limited English Proficiency (LEP) Services

The Agent shall determine, as part of its obligation to take reasonable steps to ensure meaningful access to the Development and its programs by persons with Limited English Proficiency (LEP), those Oral Language Services (i.e., Interpretation) and Written Language Services (i.e., Translation) that may be required in connection with the implementation of this Plan.

N. Modification of Tenant Selection Regulations

The Agent acknowledges that HUD or EOHLC may, from time to time, modify the requirements of their respective tenant selection regulations or policies. The Agent agrees that, upon reasonable notice, the Agent shall amend the Plan to satisfy such changes.

O. Review and Modification of Tenant Selection Plan

The Agent shall review periodically, but not less than once per calendar year, the Plan for compliance with the EOHLC Tenant Selection Regulations and Subsidy Program Requirements. The Agent may modify the Plan and the policies related to the selection of tenants at any time, subject to prior approval by EOHLC. The Agent shall send notice of the modification and a description of the changes made to the Plan to applicants on the waiting list within thirty (30) calendar days of the effective date of the modification. EOHLC may also require that the Agent, upon thirty (30) calendar days' notice, amend the Plan as directed by EOHLC. Any changes made in a Tenant Selection Plan shall be prospective unless otherwise required by EOHLC or applicable law.

P. Plan Available to Public Upon Request

The Agent shall make copies of the Plan available to the public, including Applicants and residents of the Development, upon request.

Certification

As authorized representatives of the Developer/Owner and Agent, each of us agrees to abide by the terms and conditions of this Addendum.

Owner

Attachment #1

EOHLC Program Applicant Conflict of Interest Statement

Pursuant to EOHLC “No Owner, developer or sponsor of a project assisted with EOHLC funds (or officer, employee, agent, or consultant of the owner, developer or sponsor) whether private, for profit or non- profit (including a community housing development organization (CHDO) when acting as an owner, developer, developer or sponsor) may occupy a EOHLC assisted unit affordable housing unit in a project.”

I _____ (Print Name) am applying for a unit in this development assisted with EOHLC funds.

☐ I certify that I am not an Owner, developer, or sponsor of this project (or officer, employee, agent, or consultant of the owner, developer, or sponsor) whether private, for profit or non-profit (including a community housing development organization (CHDO) when acting as an owner, developer, developer, or sponsor) OR

☐ I certify that I am an Owner, developer or sponsor of this project (or officer, employee, agent, or consultant of the owner, developer or sponsor) whether private , for profit or non-profit (including a community housing development organization (CHDO) when acting as an owner, developer, developer or sponsor) but claim the following exemptions/ factors be considered:

- ☐ The exception would provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available.
- ☐ I am a member of a group or class of low-income persons intended to be the beneficiaries of the assisted activity and the exception will permit me to receive generally the same interests or benefits as are being made available or provided to the group or class.
- ☐ I have withdrawn from functions or responsibilities or the decision-making process with respect to the specific assisted activity in question.
- ☐ The interest or benefit was present before I was in a position as described in 24 CFR Part 92.356 (c).
- ☐ Undue hardship will result either to the participating jurisdiction or the applicant when weighed against the public interest served by avoiding the prohibited conflict; and
- ☐ Any other relevant considerations:

Signature

Date

A Limited English Proficiency (LEP) Services

This is an important document. If you require interpretation, please call the telephone number below or come to our offices and we will provide free interpretation services.

Este es un documento importante. Si necesita interpretación, por favor llame al número de teléfono a continuación o venga a nuestras oficinas y le brindaremos servicios de interpretación gratuitos.

這是重要的文件。如果您需要口譯服務，請撥打以下電話或致電我們的辦公室，我們將提供免費的口譯服務。

Isso é um documento importante. Se necessitar de interpretação, por favor ligue para o número de telefone abaixo ou venha aos nossos escritórios e iremos fornecer serviços de interpretação gratuitos.

Это важный документ. Если вам требуется устный перевод, позвоните по указанному ниже номеру телефона или приходите в наши офисы, и мы предоставим бесплатные услуги устного перевода.

Đây là một tài liệu quan trọng. Nếu bạn yêu cầu phiên dịch, vui lòng gọi số điện thoại bên dưới hoặc đến văn phòng của chúng tôi, chúng tôi sẽ cung cấp dịch vụ phiên dịch miễn phí.

นี่เป็นเอกสารสำคัญ

หากคุณต้องการการล่ามกรุณาโทรไปที่หมายเลขโทรศัพท์ด้านล่างหรือมาที่สำนักงานของเราและเราจะให้บริการล่ามฟรี

Sa a se yon dokiman enpòtan. Si ou bezwen entèpretasyon, tanpri rele nimewo telefòn ki anba a oswa vini nan biwo nou yo epi n ap bay sèvis entèpretasyon gratis.

Kani waa dukumentu muhiirn ah. Haddii aad u baahan tahay tarjumaad, fadlan wac lambarka taleefanka ee hoos ku yaal ama kaalay xafiisyadayada waxaanan ku siin doonnaa adeegyo tarjumaad lacag la'aan ah.

هذا هو وثيقة هامة. إذا كنت بحاجة إلى ترجمة فورية، يرجى الاتصال برقم الهاتف أدناه أو الحضور إلى مكاتبنا وستوفر خدمات الترجمة الفورية مجانًا

Telephone:
781.794.1000

MA - TTY 711 or 1.800.439.2370
RI - TTY 711 or 1.800.745.5555
FL - TTY 711 or 1.800.955.8771
NJ - TTY 711 or 1.800.852.7899

RIGHT TO REASONABLE ACCOMMODATION

Peabody Properties will consider a reasonable accommodation, upon request for qualified persons with disabilities when an accommodation is necessary to ensure equal access to the housing community, its amenities, services and programs. Reasonable accommodations may include changes to the building, grounds, or an individual unit; changes to policies, practices, and procedures; and mitigating circumstances.

RIGHT TO ASL INTERPRETER

All tenants, applicants, and potential applicants who are deaf or hard of hearing have a right to an appropriate, certified interpreter paid for by Peabody Properties.

RIGHT TO LANGUAGE INTERPRETER

All tenants, applicants, and potential applicants who may need a language interpreter have a right to a language interpreter in accordance with the Peabody Properties Language Access Plan.

FAIR HOUSING/EQUAL OPPORTUNITY INFORMATION

Peabody Properties does not discriminate on the basis of race, color, religion, national origin, gender, disability, familial status, marital status, sexual orientation, genetic information, veteran/military status, receipt of public assistance, ancestry, age, gender identity or other basis prohibited by federal, state, or local law in the access or admission to its programs or employment or its programs, activities, functions or services.

VAWA REAUTHORIZATION ACT OF 2022

The Violence Against Women Act (2022) provides housing protections for survivors of domestic violence, dating violence, sexual assault, and/or stalking (collectively). Despite the name of the law, VAWA's protections apply regardless of sex, sexual orientation, or gender identity.



aAttachment #3
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2

Sample Advertisement

Mixed-Income Apartment Community 1, 2 & 3 Bedroom/Selection By Lottery

**254
BROADWAY**
Methuen, MA 01854

**Applications available 9/10/21
thru 10/30/21** online by visiting
www.254Broadway.com or
call 781.794.1000 (TTY 711)

Mail completed application to: Peabody
Properties, c/o 254 Broadway, 536 Granite
St., Braintree, MA 02184 or email:
254Broadway@peabodyproperties.com

Deadline: Postmark/Deliver by 10/31/21

Information videos available to
watch online starting 9/10/21 at
www.254Broadway.com

Lottery to be held virtually on
11/10/21

Rents & Income Limits

Type	# of Apts.	Gross- Rent	Income Limit	Minimum Income
1BR	11	\$1,102	60%	\$33,060
1BR	1	**	30%	n/a
2BR	22	\$1,323	60%	\$39,690
2BR	2	**	30%	n/a
3BR	3	\$1,529	60%	\$45,870
3BR	1	**	30%	n/a

Maximum Income

#HH	30% AMI	60% AMI
1	\$20,600	\$41,600
2	\$23,500	\$47,040
3	\$26,500	\$52,920
4	\$29,400	\$58,800
5	\$31,800	\$63,540
6	\$35,160	\$68,220

• **Rent determined by PHA based
on income of applicant.

• There are 3 ADA mobility
accessible & 1 sensory units.

AMI - Area Median Income, as of 4/1/20.
Income, asset, use & occupancy restrictions
apply. Rents & income limits based on HUD
guidelines. Income limits subject to change.
For more info, language assistance, or
reasonable accommodations for persons with
disabilities, please
call or email.



Attachment #4

Walnut Street Phase One 4% Affordable Rental Preliminary Lottery Application

Please see Application Instruction sheet

Applying for: 1 BR ☐

HANDICAPPED ADAPTED:

If you or a member of your household need or prefer a unit with special design features, please check appropriate box:

Mobility (wheelchair accessible) ☐ Vision ☐ Hearing ☐ Other ☐ Please specify: _____

Applicant's Name: _____

SS# _____

Address: _____ Town: _____ State: _____ Zip: _____

Home #: _____ Work #: _____ Cell #: _____

Co-Applicant's Name: _____ Soc. Sec. # _____

Address (if different) _____ Town: _____ State: _____ Zip: _____

Home #: _____ Work #: _____

Income Verification (including investment income. Income must be reported for all household members over 18.) Total gross income: Includes income from all sources such as employment, investments, social security, child support and alimony, etc.

	Household Members	Relationship	Date of Birth	Gross Annual Income	Source of Income	Value of Assets	Full Time Student Yes / No
1	Self						
2							
3							
4							
5							
6							

RENTAL ASSISTANCE: Do you have any rental assistance i.e., Section 8 Mobile Voucher, MRVP (Mass Rental Voucher Program) Yes ☐ No ☐

IF yes, what agency issues the voucher: _____

EQUAL OPPORTUNITY / FAIR HOUSING INFORMATION

The following information will be required by the Federal Government to monitor this owner / management agent's compliance with Equal Housing Opportunity and Fair Housing Laws. The law provides that an applicant may not be discriminated against on the basis of the information supplied below whether or not the information is furnished.

RACE OR NATIONAL ORIGIN (Your response to this section is voluntary)

- | | | |
|--|--|---|
| <input type="checkbox"/> Not - Hispanic / Latino | <input type="checkbox"/> Native American or Alaskan Native | <input type="checkbox"/> Black / African American |
| <input type="checkbox"/> Hispanic / Latino | <input type="checkbox"/> Asian | <input type="checkbox"/> White / Non-Minority |
| | <input type="checkbox"/> Native Hawaiian or Pacific Islander | <input type="checkbox"/> Other |

I understand and grant permission for all of the above information to be verified by the owner / agent. I further understand and grant permission to authorize a credit bureau service to make any consumer report and investigative consumer report, whereby information is obtained through public records, personal or telephonic interviews with my neighbors, friends, or others with whom I am acquainted. This inquiry may include information as to my character, credit worthiness, credit standing, and credit capacity. I understand that I have the right to make a written request within a reasonable period of time to receive information about the nature and scope of any such report that is made.

Please Read each item below carefully before you sign.

- I hereby certify that the information provided in this Lottery Rank application is correct to the best of my knowledge.
- I understand that this is a Lottery Rank application and the information provided does not guarantee housing. Additional information and verifications will be necessary to complete the standard application process.
- I understand that I may submit only one application per household and that duplicate household applications will disqualify my household from the lottery.

Applicant's Signature _____

Date

Co-Applicant Signature _____

Date



Preliminary Lottery RENTAL Application Instructions

Please read this notice in full before completing in your application.

Additional information and applications are available by calling Peabody Properties, Inc. at **781-794-1000**

Eligibility Criteria

1. Your total household income and assets must be within the required limits.
 - **Include as income:** income of all household members 18 years of age and older, including gross income from employment, including overtime; bonuses and commissions; pensions; annuities; dividends; interest on assets; social security; social security supplement; alimony and child support; veterans' benefits; unemployment and disability compensation; welfare assistance; regular gifts; etc.
 - **Include as assets:** the current value of all savings, checking and investment accounts (including retirement and educational accounts), real estate, investment property, etc. (Do not include automobile(s) and other personal property.)
2. Divestment of assets within one year of application for less than full value and fair cash value will be included for imputation of income at full and fair value.
3. Your household size and composition must be appropriate for the unit size.
4. You must be credit-worthy and have sufficient income to afford the rent. Generally, you should be paying no more than 40 percent of your gross income to rent or have assets equal to at least two years of rent.
5. You have not committed any fraud in connection with any federal or state housing assistance program, and you do not owe rent or other amounts in connection with housing assistance.
6. You intend to reside in the development as your primary residence.
7. Note: Individuals with a financial interest in the development and their families are not eligible to apply.

Application Process

You must fill out the application completely and return postmarked no later than TBD, to Peabody Properties, Inc., Walnut Street Apartments Lottery, 536 Granite Street, Braintree, MA 02184.

PLEASE NOTE: If unsigned or incomplete, your Preliminary Application will be rejected.

1. Information provided on this Lottery Application will be treated as confidential.
2. All information provided will be verified. If you have intentionally falsified information, your application will be rejected.
3. Your household can file only one application, and no household member can appear on more than one application.
4. Preliminary Applications will be reviewed as quickly as possible. You will be notified by mail of receipt of your application, your application number, and your eligibility for the rental housing lottery.
5. The lottery consists of a random on-line selection of eligible application numbers. The order in which your number is drawn, plus your preference category, if any, determines your ranking for a particular unit type.
6. Priority for the accessible units will be for families which require physical accommodations.
7. If your Lottery Rank Application indicates that you have a high likelihood of being offered a unit, you will be required to attend an interview and complete a Rental application.
8. If you are disabled and require an accessible unit, an extra bedroom for equipment or for a Personal Care Attendant, a reasonable modification of the housing, or a reasonable accommodation of rules, policies, practices, or services, please include a letter from your primary health care provider explaining such special requirements.
9. The Lottery will be held on TBD. All Applicants are encouraged, but not required, to witness the Lottery drawing.

It is unlawful to discriminate against any person because of race, color, religion, national origin, gender, disability, familial status, marital status, sexual orientation, genetic information, veteran/military status, and receipt of public assistance, ancestry, age, gender identity or other basis prohibited by federal, state, or local law.

Attachment #5

Lottery Acceptance Letter

Date

Name

Address

Re: Lottery Application – Walnut Street
Apartments Preliminary Determination of
Eligibility

Dear Applicant:

Your Application Number is #_____.

Please note that this not your lottery placement number and does not constitute an offer for a rental unit.

Based on the review of your Preliminary Lottery Application:

☐ You have met the standard threshold criteria and are eligible to participate in the Lottery.

The Lottery drawing will be held on (Date to be Determined), (Location to be determined). The lottery consists of a random online selection of application numbers. The order in which your application number is drawn, plus your preference category, if any, will determine your ranking for a particular unit type / size.

You do not need to attend the Lottery drawing to be eligible. Your Lottery Ranking will not be available until the sort by preference and unit type / size is completed.

Applicants will be notified via the email/mail of their Lottery Ranking.

Applicants will be selected in order of the results of the lottery and will be notified by Peabody Properties. Applicants at the top of the lottery waiting list will be sent a full rental Application and asked to attend an Interview Session in order to submit further information to complete the screening process.

The advertised rent at the lower affordable rent level is the rent for the unit. Individuals holding a Section 8 Mobile Voucher will be processed according to lottery numbers and in accordance with the Tenant Selection Plan applicable to all affordable applicants.

Sincerely,
PEABODY PROPERTIES, INC.

Attachment #6

Lottery Rejection Letter

Date

Name

Address

Re: Walnut Street Apartments
Preliminary Determination of Ineligibility

Dear Applicant:

We are in receipt of your Preliminary Application for inclusion in the lottery for Walnut Street Apartments. Based on the review of your Preliminary Application you are **NOT** eligible for inclusion in the lottery

☐ You have **NOT** met the standard threshold criteria and are therefore **NOT** eligible to participate in the lottery. You are ineligible because:

- ☐ The application has not been filled out completely or was not signed by all adult household members.
- ☐ The income indicated on the application exceeds the income limits prescribed for the family size indicated on the application.
- ☐ The household composition is not appropriate for the unit size selected and documentation was not provided for an exception for a larger size unit.
- ☐ The household composition is not appropriate for the unit size selected and exceeds the maximum occupancy standards for the unit size selected.
- ☐ More than one application was received thus disqualifying the household applications.
- ☐ Other_____

If you dispute the determination of ineligibility, you may contact Peabody Properties, Inc by mail at 536 Granite Street, Braintree, MA. 02184 or by calling 781-794-1000 within ten (10) days from the date of the notification email/ letter.

Peabody Properties shall conduct the Conference Procedures as detailed below. Appeals will be completed, prior to the time of the lottery, or unit(s) will be held on reserve, pending outcome of the appeal(s).

Sincerely,
PEABODY PROPERTIES, INC.

Applicant Conference Procedures

The following procedures shall apply at the informal hearing:

- The hearing will be conducted by an employee of Peabody Properties selected to act as hearing officer within fifteen (15) days of the receipt of the appeal.
 - Each party shall have the right to be represented by counsel, at their own expense.
 - Each party shall have the right to present and establish all facts by oral testimony and/or by documentary evidence.
 - The applicant and the managing agent shall have the right to cross-examine witnesses. However, neither party is required to produce live witnesses at the informal hearing.
 - The applicant shall have the right to review his entire application file prior to the informal hearing unless other arrangements are made by agreement. The applicant must be given an opportunity to review the application file at least thirty minutes prior to the informal hearing. Any document not made available to the applicant prior to the informal hearing may not be relied upon by the managing agent at the hearing.
 - Within five (5) days after the informal hearing, the hearing officer shall issue a written decision on the applicant's request for review of the managing agent's determination of ineligibility.
 - The written decision must briefly set forth the reasons for the decision and must be based solely on the evidence presented at the hearing and applicable statutes and regulations.
 - The hearing officer shall promptly mail a copy of the written decision to the parties and their counsel, if any, upon issuance of the decision.
-

CONSENT TO RELEASE FORM

THIS FORM MAY BE PHOTOCOPIED

AUTHORIZATION

I/We Do Hereby Authorize _____ and its staff or authorized representative to contact any agencies, local police departments, offices, groups, or organizations to obtain and verify any information or materials which are deemed necessary to determine my/our eligibility for housing in programs administered/managed by Peabody Properties, Inc.

SIGNATURE(S):

Applicant

Date

Co-Applicant

Date

Attachment 8

Community-Based Housing Marketing and Tenant Selection Plan

Outreach

The property manager will notify the Massachusetts Rehabilitation Commission (MRC)/Executive Office of Health and Human Services (EOHHS) as early as possible when a CBH unit will become available – whether it is coming on-line for the first time or is the turnover of an occupied unit. Specifically, the manager should notify Jennifer Howell at:

Jennifer Howell
Disability Housing Manager
Executive Office of Health & Human Services
One Ashburton Place
Boston, MA 02108
Phone: 617-937-9781
Jennifer.m.howell@mass.gov

To better ensure referrals to the available unit are appropriate, the notice of availability will include the following information:

- Location and address of the development
- Photos of the development if possible
- Contact information for an interested party to obtain an application
- Unit information including bedroom size, access features, and utilities
- Information about the development such as amenities and proximity to public transportation and other services

The property manager will provide an electronic version of the development application and related materials. Such attachments will be Word documents and **not** PDF documents whenever possible to ensure they can be read by persons with visual disabilities.

Once MRC/EOHHS becomes aware of unit availability, MRC/EOHHS will initiate collaborative outreach efforts. MRC/EOHHS will notify its partner human services agencies including: Commission for the Blind, Commission for the Deaf and Hard of Hearing, Department of Mental Health, Department of Developmental Services, Executive Office of Elder Affairs and the Department of Public Health. Each of these agencies has its own regional and local outreach networks. The state will use these networks to conduct outreach and identify appropriate applicants.

State fair housing law requires that all accessible rental units be listed with MassAccess – the registry of accessible housing administered by Citizens Housing and Planning Association (CHAPA). CHAPA can be contacted at (617) 742-0820 or electronically at www.massaccesshousingregistry.org

Application

CBH eligibility

In order to be eligible for a CBH unit, an applicant must: (1) have a disability, (2) be institutionalized or at risk of institutionalization, and (3) not be eligible for the Facilities Consolidation Fund Program (FCF). Definitions for each of these are below. In addition, the applicant must be certified as a “PCE,” or person considered eligible, by MRC/EOHHS. See attached certification form.

Disability

An applicant with a disability is defined as: An individual who has a physical or mental impairment that is of a permanent or long and continued duration and that substantially limits one or more major life activities is considered a person with a disability, excepting individuals who are persons with disabilities who are eligible for housing developed with FCF funds; this exception is required by the legislation. Major life activities include: self-care, learning, receptive and expressive language, mobility, cognitive functioning, emotional adjustment and economic self-sufficiency. This definition includes elders with disabilities.

Institutionalization

An applicant who is institutionalized, or at risk of institutionalization, is living in or at risk of being placed in a nursing facility, long term rehabilitation center or hospital.

Not Eligible for FCF

The Facilities Consolidation Fund (FCF) Program funds housing in the same manner as CBH but is targeted to clients of the Department of Mental Health and the Department of Developmental Services. CBH is intended to provide housing for persons who are not clients of these departments. An eligible applicant may have a mental health or cognitive disability but does not receive services from one of these two agencies.

CBH certification form

The Commonwealth has developed a certification form which is used to determine eligibility for CBH. **A sample of the certification is included in this tenant selection plan as an appendix.** The form requests information to confirm the three elements listed above (disability, institutionalization and CBH eligibility). The Property Manager will provide potential applicants with the certification form along with the application for a rental unit.

When a manager receives the certification form with an application, the following will be confirmed:

- The form is fully and accurately completed.
 - The form is signed by a licensed medical, psychological or allied mental health and human services professional who has knowledge of the individual for some duration, or by a person designated by MRC/EOHHS as a certifier. Examples of agencies which have qualified staff to complete the form include Independent Living Centers, Aging Services Access Points, Adult Day Health Centers, Long Term Care Facilities, hospitals, and other community service organizations that provide case management and service coordination. For additional assistance, you may contact Jennifer Howell, Disability Housing Manager at EOHHS, at 617-937-9781.
 - Each question is completed and explanations provided to illustrate the response.
-

The Property Manager is not expected to verify that the information provided by the professional is accurate, simply that the form is complete. Prior to offering a unit to an applicant, the property manager will email the completed form to Jennifer Howell, Disability Housing Manager at EOHHS, at Jennifer.m.howell@mass.gov. Jennifer will review the form and let the manager know if the applicant is considered eligible or not.

Tenant selection

Applicants will be selected consistent with the development's written tenant selection policies. When a CBH unit becomes available, if there is already a waiting list of applicants for the CBH unit, priority in selection will be given **first to applicants who are institutionalized and second to applicants at risk of institutionalization** in a nursing facility, long term rehabilitation center or hospital. The development may layer other preferences "on top" of these priorities of the CBH program. In addition, the property manager will select applicants based on the best "match" for the unit, i.e. by bedroom size and need for access design features if any are provided in the unit. In summary, the property manager will select an eligible CBH applicant with the highest priority, closest to the top of the list who best matches the features of the unit.

MassDocs provides that the development keep the unit available to MRC/EOHHS for 60 days. If after that period, no CBH eligible applicants have been identified, the development may lease the unit to a non-CBH applicant (process subject to development's tenant selection plan) and offer MRC/EOHHS the next available comparable unit. In developments where the CBH unit was one of only a few accessible units or one of only a limited number of units with rental assistance, comparability is more complicated. The project sponsor should discuss these limitations with MRC/EOHHS as early as possible in the process.

The development has the right to screen applicants for a CBH unit in the same nondiscriminatory manner that it screens applicants for non-CBH units. If a CBH applicant is rejected, based on these screening criteria, they must be offered a reasonable accommodation and MRC/EOHHS must be notified.

A reasonable accommodation is a change to a policy, procedure or practice to allow a person with a disability to participate in the program. The classic example is to change the "no-pet" policy in a development to allow a person who uses a guide dog to live in that development. Information about reasonable accommodations in housing is available from many sources, including MRC/EOHHS.

Rent restrictions

Applicants must be below 80% AMI to qualify for CBH housing. However, CBH is often paired with subsidy programs that have lower qualifying incomes (LIHTC, Section 8). In those cases, the lower eligibility requirements prevail.

Please note that while applicants may have incomes of up to 80% AMI, most will have much lower incomes. The development will maintain a rent structure that can accommodate applicants with incomes as low as 15% AMI.

Massachusetts Rehabilitation Commission/Executive Office of Health and Human Services Certificate On Application for Community-Based Housing

Dear Certifier:

The Community Based Housing Program (CBH) provides affordable housing for individuals with disabilities who are living in institutions and seek an alternative in the community or those who are at risk of institutionalization. The CBH Program seeks to ensure that, through the availability of CBH, individuals with disabilities will be able to live as independently as they are able, in their own homes.

You have been asked to complete this certification for the individual named below who is applying to reside in a CBH-funded unit. An appropriate signatory is a licensed medical, psychological or allied mental health and human services professional who has knowledge of the individual for some duration or a person designated by MRC as a certifier.

Applicant’s Name:_____

☐Yes ☐No: Applicant has a disability defined as: An individual who has a physical or mental impairment that is of a permanent or long and continued duration and that substantially limits one or more major life activities is considered a person with a disability, excepting individuals who are persons with disabilities who are eligible for housing developed with Facility Consolidation Funds (FCF) funds; this exception is required by the legislation. Major life activities include: self care, learning, receptive and expressive language, mobility, cognitive functioning, emotional adjustment and economic self-sufficiency.

☐Yes ☐No: Applicant is not eligible for housing developed with FCF funds, i.e. a current client of The Department of Mental Health or Department of Developmental Services. (A “yes” answer confirms the applicant is NOT eligible for FCF)

☐Yes ☐No Applicant is institutionalized or at risk of institutionalization in a nursing facility, long term rehabilitation center or hospital

Explanation (please state if the individual is currently institutionalized)

I certify that the foregoing information is true and accurate to the best of my knowledge.

(Signature)

(Date)

Name: _____

Address: _____

Phone: _____

Attachment #9

The Walnut Street Phase One 4%

All Applicants will receive a notification of their rights under The Violence Against Women Act (VAWA) upon application, denial of application for housing, upon move into property and each time a termination notice is issued for lease agreement. The Notice can be found in exhibit 10 of this Tenant Selection Plan. VAWA provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.¹ The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that **Section 8 Project Based Housing, Section 8 Housing Choice Voucher Program, Section 236, Section 202 Housing For Elderly, Section 811 housing for people with disabilities, Section 221 (d)(3) BMIR, HOPWA, HOME, Housing Trust Funds and McKinney-Vento Act Programs** is in compliance with VAWA. Additionally, the Internal Revenue Service in conjunction with the local state agency (Massachusetts Department of Housing and Community Development) oversees the **Low-Income Housing Tax Credit Program**. The notice explains applicant/resident rights under VAWA. A HUD-approved certification form is attached to the notice as well.

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

This is an important document. If you require interpretation, please call the telephone number below or come to our offices.

Este es un documento importante. Si necesita interpretación, por favor llame al número de teléfono que aparece abajo o visite nuestras oficinas.

這是一份非常重要的文件。如果您需要翻譯服務，請撥下面的電話或前往我們的辦公室

Isto é um documento importante. Se exige interpretação, por favor chama o número de telefone embaixo ou vem a nossos escritórios.

Это важный документ. Если Вам требуется перевод, пожалуйста, позвоните нам (телефонный номер ниже). Или придите в наш офис.

Đây là một tài liệu quan trọng. Nếu quý vị cần phiên dịch, vui lòng hãy gọi cho số điện thoại bên dưới hoặc đến các văn phòng của chúng tôi.

នេះ គឺជាឯកសារសំខាន់មួយ។ ក្នុងករណីលោកអ្នក ចាំបាច់ត្រូវចង់បានការបកប្រែ

សូមទូរស័ព្ទលេខខាងក្រោមនេះមកកាន់ ឬ

អញ្ជើញមកទាក់ទងដោយផ្ទាល់នៅការិយាល័យយើងផ្ទុំ។

Sa a se yon dokiman enpòtan. Si ou bezwen entèpretasyon, tanpri rele nimewo telefòn ki anba la a oswa vini nan biwo nou.

Tani waa dhokomentii muhiim ah. Haddii aad rabto tarjumaad, fadlan wac lambarka hoos ku qoran ama imow xafiisyadayada.

هذه وثيقة مهمة، وإذا كنت في حاجة إلى ترجمة فورية، يرجى الاتصال على رقم الهاتف المذكور أدناه أو أن تتفضل بالمجيء إلى مكتبنا.

این یک سند بسیار مهم است. اگر به ترجمه آن نیاز دارید، لطفاً با شماره تلفن زیر تماس بگیرید یا به دفتر ما مراجعه کنید.

Telephone: 781-794-1000

Notice of Occupancy Rights under the Violence Against Women Act²

To all Residents and Applicants

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.³ The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that **Section 8 Project Based Housing, Section 8 Housing Choice Voucher Program, Section 236, Section 202 Housing For Elderly, Section 811 housing for people with disabilities, Section 221 (d)(3) BMIR, HOPWA, HOME, Housing Trust Funds and McKinney-Vento Act Programs** is in compliance with VAWA.

Additionally, the Internal Revenue Service in conjunction with the local state agency, Rhode Island Housing oversees the **Low-Income Housing Tax Credit Program**. This notice explains your rights under VAWA.

A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”

Protections for Applicants

If you otherwise qualify for assistance under **Section 8 Project Based Housing, Section 8 Housing Choice Voucher Program, Section 236, Section 202 Housing for Elderly,**

² Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

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

Section 811 housing for people with disabilities, Section 221 (d)(3) BMIR, HOPWA, HOME, Housing Trust Funds McKinney-Vento Act or Low Income Housing Tax Credit you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Protections for Residents

If you are receiving assistance under **Section 8 Project Based Housing, Section 8 Housing Choice Voucher Program, Section 236, Section 202 Housing for Elderly, Section 811 housing for people with disabilities, Section 221 (d)(3) BMIR, HOPWA, HOME, Housing Trust Funds, McKinney-Vento Act or Low Income Housing Tax Credit Programs**, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under **Section 8 Project Based Housing, Section 8 Housing Choice Voucher Program, Section 236, Section 202 Housing for Elderly, Section 811 housing for people with disabilities, Section 221 (d)(3) BMIR, HOPWA, HOME, Housing Trust Funds, McKinney-Vento Act or Low Income Housing Tax Credit Programs**, solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

Removing the Abuser or Perpetrator from the Household

«sitename» ApartmentsTo be auto populated with property name when generated** may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If **«sitename» Apartments** choose to remove the abuser or perpetrator, **«sitename» Apartments**

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

In removing the abuser or perpetrator from the household, **«sitename» Apartments** must follow Federal, State, and local eviction procedures. In order to divide a lease, **«sitename.» Apartments**

may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

Moving to Another Unit

Upon your request **«sitename» Apartments** may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request,

«sitename» Apartments may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA.

The criteria are:

(1) You are a victim of domestic violence, dating violence, sexual assault, or stalking. If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.

(2) You expressly request the emergency transfer. Your housing provider may choose to require that you submit a form or may accept another written or oral request.

(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit. This means you have a reason to fear that if you do not receive a transfer, you would suffer violence in the very near future.

OR

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

«sitename» Apartments will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families. **«sitename» Apartments** emergency transfer plan provides further information on emergency transfers, and **«sitename» Apartments** must make a copy of its emergency transfer plan available to you if you ask to see it.

Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking **«sitename» Apartments** can, but is not required to, ask you to provide documentation to “certify” that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from **«sitename» Apartments** must be in writing, and **«sitename» Apartments** must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation.

«sitename» Apartments

may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to **«sitename» Apartments** as documentation. It is your choice which of the following to submit if **«sitename» Apartments** ask you to provide.

documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

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

If you fail or refuse to provide one of these documents within the 14 business days, **«sitename» Apartments** do not have to provide you with the protections contained in this notice. If **«sitename» Apartments** receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), **«sitename» Apartments** has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, **«sitename» Apartments** do not have to provide you with the protections contained in this notice.

Confidentiality

«sitename» Apartments must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA. **«sitename» Apartments** must not allow any individual administering assistance or other services on behalf of **«sitename» Apartments** (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

«sitename» Apartments must not enter your information into any shared database or disclose your information to any other entity or individual. **«sitename» Apartments** however, may disclose the information provided if:

- ☐ You give written permission to **«sitename» Apartments** to release the information on a time limited basis.
-

- **«sitename» Apartments** needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires **«sitename» Apartments** or your landlord to release the information. VAWA does not limit **«sitename» Apartments** duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

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

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

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

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

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

Other Laws

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

Non-Compliance with The Requirements of This Notice

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

Department of Housing and Urban Development
Thomas P. O'Neill, Jr. Federal Building
10 Causeway Street, 3rd Floor
Boston, MA 02222-1092
Phone: (617) 994-8200
Email: ma_webmanager@hud.gov
Fax: (617) 565-6558
TTY: (617) 565-5453

For Additional Information

You may view a copy of HUD's final VAWA rule at <https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf> or at

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



RIGHT TO REASONABLE ACCOMMODATION

Peabody Properties, Inc. and **«sitename» Apartments** will consider a reasonable accommodation, upon request for qualified people with disabilities when an accommodation is necessary, not just desirable, to ensure equal access to the development, its amenities, services, and programs. Reasonable accommodations may include changes to the building, grounds, or an individual unit; changes to policies, practices, and procedures; and mitigating circumstances.

FAIR HOUSING/EQUAL OPPORTUNITY INFORMATION

Peabody Properties, Inc. and **«sitename» Apartments** does not discriminate on the basis of race, color, religion, national origin, gender, disability, familial status, marital status, sexual orientation, genetic information, veteran/military status, receipt of public assistance, ancestry, age, gender identity or other basis prohibited by federal, state, or local law in the access or admission to its programs or employment or its programs, activities, functions or services.

Additionally, **«sitename» Apartments** must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY).

You may also contact **(See attached local organizations and resources)**

For Residents who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault, you may contact **[see attached list of organizations]**

Victims of stalking seeking help may contact **[see attached list of organizations]**.

Attachment: Certification form HUD-5382 **[form approved for this program to be included]**

**CERTIFICATION OF U.S. Department of Housing
DOMESTIC VIOLENCE, and Urban Development
DATING VIOLENCE,
SEXUAL ASSAULT, OR STALKING,
AND ALTERNATE DOCUMENTATION**

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

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

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

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

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

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

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

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

1. Date the written request is received by victim: _____

2. Name of victim: _____

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

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

5. Residence of victim: _____

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

7. Relationship of the accused perpetrator to the victim: _____

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

10. Location of incident(s): _____

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

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

Signature _____ Signed on (Date) _____

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

Domestic Violence Programs Resources

MASSACHUSETTS

<http://www.mass.gov/eopss/crime-prev-personal-sfty/personal-sfty/sexual-and-dom-viol/resources/domestic-violence-programs.html>

If you are a victim of abuse, you are NOT alone, you are not to blame, and you cannot control the actions of your abuser. There is more help available to you (and your children) than ever before. You, and only you, can make the decision to change or permanently end the abusive relationship you endure daily. No one deserves to be abused. Listed below are numerous domestic violence programs available across Massachusetts.

For counseling services, support groups, and advocacy services, please call the nearest domestic violence program 24 hours a day:

- **SafeLink -- 1-877-785-2020** (toll-free)
- **SafeLink TTY -- 1-877-521-2601**
- **National Domestic Violence Hotline -- 1-800-799-SAFE (7233)**
- **National Sexual Assault Hotline -- 1-800-656-HOPE (4673)**

Greater Boston Area

Asian Task Force Against Domestic Violence	Boston	617-338-2355
Casa Myrna Vazquez	Boston	617-521-0100
Elizabeth Stone House	Jamaica Plain	617-522-3417
FINEX House	Jamaica Plain	617-288-1054
HarborCov	Chelsea	617-884-9909
REACH	Waltham	1-800-899-4000
Renewal House	Boston	617-566-6881
RESPOND	Somerville	617-623-5900
Transition House	Cambridge	617-661-7203

Northeastern Massachusetts

Alternative House	Lowell	978-454-1436
Help for Abused Women and their Children (HAWC)	Salem	978-744-6841

Supportive Care	Haverhill Lawrence	1-800-649-8301 978-686-1300
Jeanne Geiger Crisis Center	Newburyport	978-388-1888
Women's Resource Center	Haverhill Lawrence	978-373-4041 978-685-2480
YMCA of Greater Lawrence	Lawrence	978-688-2645 (Hotline) 978-686-8840 (TTY)

Central Massachusetts

Battered Women's Resources	Leominster	978-537-8601
Daybreak	Worcester	508-755-9030
Voices Against Violence	Framingham	1-800-593-1125 (Hotline) 508-686-8686 (TTY)

Southeastern Massachusetts

A Safe Place	Nantucket	508-228-2111 (Hotline) 508-228-0561 (TTY)
Brockton Family and Community Resources	Brockton	508-583-6498
Cape Cod Center for Women	North Falmouth	508-564-7233
DOVE	South Shore	617-471-1234 (Hotline) 617-770-4065
Independence House	Hyannis	1-800-439-6507 (Hotline) 508-778-6781 (TTY)
New Hope	Attleboro	1-800-323-4673 (Hotline/TTY)
Our Sister's Place	Fall River	508-677-0224
South Shore Women's Center	Plymouth	781-582-0078 1-888-746-2664
Stanley Street Women's Center (SSTR)	Fall River	508-675-0087 (Hotline) 508-673-3328 (TTY)
Womensplace Crisis Center	Brockton	508-588-2041 (Hotline) 508-894-2869 (TTY)
Women's Support Services	Vineyard Haven	508-696-7233 (Hotline) 508-693-7900 (TTY)

Western Massachusetts

Elizabeth Freeman Center	Pittsfield	(866) 401-2425 (Hotline/TTY)
Safe Passage	Northampton	413-586-5066
N.E.L.C.W.I.T.	Greenfield	413-772-0806 (Hotline/TTY)
Womanshelter/ Companeras	Holyoke	413-536-1628
YWCA - Arch	Springfield	1-800-796-8711 (Hotline/TTY)
YWCA - New Beginnings	Westfield	1-800-479-6245 (Hotline/TTY)

Statewide Organizations

Gay Men's Domestic Violence Project	1-800-832-1901
The Network/La Red	617-423-7233
Our Deaf Sister's Center	603-665-8127 (TTY)
SafeLink - Statewide Domestic Violence Hotline	877-785-2020 877-521-2601 (TTY)

Transitional Living Programs

Alternative House	Lowell	978-446-1248
Casa Myrna Vazquez	Boston	1-800-992-2600
Elizabeth Stone House	Boston	617-427-9801 x409
Second Step	Newton	617-965-3999
Turning Point	Amesbury	978-388-6600
The Women	Boston	617-536-5651
YWCA of Western MA	Northampton	413-586-6807
New Hope	South Central MA	508-226-4588
YWCA of Lawrence	Lawrence	978-688-2645 (Helpline) 978-686-8840 (TTY)
DOVE	Quincy	617-471-1234 (Hotline) 617-770-4065

NATIONAL DOMESTIC VIOLENCE HELP :**How to Seek Assistance**

Residents who are in immediate danger should call 911. Victims of domestic violence, dating violence, or stalking can get help by calling the National Domestic Violence Hotline at 1-800-799-SAFE (7233). Alternatively, the Hotline's website offers a state-by-state list of local resources at <http://www.thehotline.org/get-help/help-in-your-area> or go to www.womenshealth.gov



Office on Women's Health, U.S. Department of Health and Human Services

When you go to the web site you can access Resources by state on violence against women, Click the red escape button above to immediately leave this site if your abuser

ESCAPE

may see you reading it. If you do not find your state in the list, please contact the National Domestic Violence Hotline (NDVH) for assistance in locating programs in your area. <https://www.womenshealth.gov/violence-against-women/get-help-for-violence/resources-by-state-violence-against-women.html>



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (RENTAL RESOURCES) <https://resources.hud.gov/>

CERTIFICATION/REQUEST FOR APPROVAL

As an authorized representative of the Agent, I have reviewed this plan and by signing below certify that the information contained herein is true and complete. The plan shall be effective as of the date approved by EOHLC.

Property Name: Walnut Street Apartments

Management Agent: Peabody Properties, Inc

Signed: _____

By: Megan Stejskal, Director of Compliance – New Business

Date: _____
