

# **RESIDENT SELECTION PLAN**

**FEDOR MANOR  
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LAKEWOOD, OH 44107  
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**S.S. C. & M. INC.  
Herein referred to as  
FEDOR MANOR**

## ADMISSIONS POLICY & PROCEDURE

FEDOR MANOR, sponsored by SS. Cyril & Methodius Church, was approved by the U. S. Department of Housing & Urban Development (HUD) to provide rent subsidy to elderly persons, aged sixty-two (62) or older. Fifteen units (15) are designated to increase access for mobility impaired persons. FEDOR MANOR was neither selected for, nor does it possess, the resources required to meet the special needs of other Section 202 constituencies such as the developmentally disabled or chronically mentally ill.

FEDOR MANOR specifically follows policies and regulations set forth by the U. S. Department of Housing and Urban Development (HUD) and does not deviate from the purpose for which it was approved by HUD.

FEDOR MANOR has a policy of non-discrimination. All services and accommodations of the facility are available to persons without regard to race, color, creed, national origin, religion, sex, familial status or disability/handicap.

The Department of Housing and Urban Development (HUD) has established Income Target requirements which apply to HUD projects receiving Section 8 funding through the Housing Assistance Payments (HAP) Contract.

### PROCEDURE

Application Process: All interested persons must complete a preliminary application in order to be placed on the FEDOR MANOR waiting list. Applications are reviewed in order to determine preliminary eligibility based on the information provided in the application. Placement on the waiting list does not constitute acceptance of the applicant(s) for residence at FEDOR MANOR.

Preliminary applications that indicate eligibility are placed according to date/time in one of the two categories on the waiting list:

1. Regular 1 bedroom (62 and over)
2. Mobility-impaired accessible apartment (62 and over)

Applicants are contacted in the chronological order (date/time) that their applications were received in the **FEDOR MANOR** office. Each applicant is contacted in writing at least annually to determine if he or she wishes to remain on the wait list. Applicants who fail to respond to this inquiry by returning the completed forms are removed from the waiting list after the specified deadline unless applicant's disability prevents them from responding. Applicants are responsible for notifying FEDOR MANOR of changes in address and/or telephone numbers. Similarly, accommodations will be made for those applicants whose disability prevents them from responding.

Applicants who have been removed from the wait list through non-response (due to being in hospital, being out of the country, or other reasons which are beyond their control), may have their application placed back on the wait list according to the original date if they respond within 30 days from the date of notification. Management will accommodate persons with disabilities who, because of their disability are unable to use the preferred application process, by providing alternative methods of taking/completing applications.

When an application reaches date and time priority on the waiting list the applicant is contacted by telephone for an interview. If an applicant cannot be reached by telephone, a letter will be mailed to the address on the preliminary application or any updated address. The applicant must respond within 5 days of notification or the applicant will be removed from the waiting list. Other applicants may be contacted during this 5-day response period.

Within five (5) working days of being offered an accessible or regular apartment, the applicant:

1. Accepts the apartment, and is provided with an initial interview to determine eligibility.

2. Refuses the apartment.  
1<sup>st</sup> Refusal – Applicant maintains present position on wait list (to be offered an apartment after a period of 30 days).  
2<sup>nd</sup> Refusal. Applicant may request their name be placed at the end of the wait list, or on the inactive list.

All applicants notifying us they are no longer interested in our housing will have their application placed in the inactive file. Applicants may notify us of intent to reactivate their application by phone/mail and their application will be placed on the wait list according to date/time of reactivation subject to the procedures on page one.

**Waiting List Closure:**

The waiting list may be closed when the estimated wait time for an apartment exceeds 12 months. The closing will be published in those publications which we determine will reach persons interested in FEDOR MANOR housing including those listed in our Affirmative Fair Housing Marketing Plan and those currently on our wait list. No new applications will be received. When the wait time returns to under 12 months the wait list may be reopened. The opening will be published in the same/similar publications as used for closing.

**Declaration of Citizenship:** Section 214 of the Housing and Community Development Act of 1980, as amended, prohibits the Secretary of HUD from making financial assistance available to persons other than United States citizens, nationals, or certain categories of eligible non-citizens

Anyone receiving assistance is required to declare U.S. Citizenship or submit evidence of eligible immigration status for each family member living in the household. Management will provide “Declaration” forms for the household members to complete. Failure to complete the required forms or providing false information may result in the rejection of the application or termination of the HUD subsidy.

**ELIGIBILITY REQUIREMENTS**

Applicants must meet the eligibility standards listed below.

1. Heads of Household must be 62 years or older
2. Income must be less than or equal to the HUD established income limits effective at the time of the interview.

40% of apartments are reserved for those persons meeting HUD’s extremely low income limits.

60% of apartments are reserved for those persons meeting HUD’s very low income limits.

Our procedures for ensuring we meet HUD’s requirement for 40% of all households falling within the extremely low income range are to ensure that of every five (5) new tenants two (2) will be in the extremely low category. When needed, very low income applicants at the top of the wait list will be skipped and our wait list will be so noted.

3. Applicants must be able to demonstrate their ability to comply with the terms of the lease with no assistance provided by the facility

4. Family size and composition must meet HUD requirements and local zoning regulations. Families of more than two people cannot be accommodated at **FEDOR MANOR**. Persons under the age of 18 are not eligible for residence at **FEDOR MANOR**.
5. Pet regulations have been established according to guidelines of the Department of Housing and Urban Development. Applicants with pets must meet all requirements within the pet regulations.
6. Eligibility for housing at **FEDOR MANOR** is based upon regulations from the Department of Housing & Urban Development (HUD) and the Department of Homeland Security (DHS), formerly the Immigration and Naturalization Service (INS). Questions of citizenship and student status with regard to eligibility for housing and/or subsidy will be referred to HUD and/or DHS.
7. All applicants must provide their Social Security card at the time of interview for the purpose of processing their application. Failing to provide this document, applicants are allowed 90 days to provide proof of a Social Security number through HUD approved documentation. If applicant does not have a Social Security number other documentation will be forwarded to the Department of Homeland Security for verification of eligibility.
8. Eligibility of Students for Section 8 Assistance

**a.** Owner must determine a student's eligibility for Section 8 assistance at move-in, annual recertification, initial certification (when an in-place tenant begins receiving Section 8 ), and at the time of an interim recertification if one of the family composition changes reported is that a household member is enrolled as a student.

**b.** Section 8 assistance shall not be provided to any individual who:

Is enrolled as either a part-time or full time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential;

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

**a.** For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate the absence of, or his or her independence from parents. While owners may use additional criteria for determining the student's independence from parents, owners must use, and the student must meet, at a minimum **all** of the following criteria to be eligible for Section 8 assistance. The student must:

1. Be of legal contract age under state law;
2. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy,

**or**

Meet the U.S. Department of Education's definition of an independent student (See Glossary for definition of Independent Student);

3. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
  4. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.
- b. Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance.
  - c. If an ineligible student is a member of an applicant household or an existing household receiving Section 8 assistance, that assistance for the household will not be prorated but will be terminated in accordance with the HUD guidelines.

### **Enterprise Income Verification System**

All Applicants MUST disclose if they are currently receiving HUD housing assistance. The owner/agent will not knowingly assist applicants who will maintain a residence in addition to the HUD –assisted unit or who attempt to receive HUD assistance in to separate residences.

HUD provides the owner/agent with information about an applicant’s current status as a HUD housing assistance recipient. The owner/agent will use the Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD assistance.

Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin. Special consideration applies to

- 1) Minor children where both parents share 50% custody,
- 2) Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit.

If the applicant or any member of the applicant household fails to fully and accurately disclose rental history, the application may be denied based on the applicant’s “misrepresentation” of information.

This information will be reviewed on an annual basis, at each annual certification. If any household member receives or attempts to receive assistance in another HUD assisted unit while receiving assistance on this property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges.

The application screening process includes investigation of criminal history, rental history as verified by current and/or recent landlords.

**FEDOR MANOR RESERVES THE RIGHT TO REJECT AN APPLICATION BASED ON ANY OF THE FOLLOWING CRITERIA:**

1. **APPLICANT’S AND ANY HOUSEHOLD MEMBER’S CURRENT USE OF CONTROLLED SUBSTANCES;**

2. PRIOR CRIMINAL CONVICTION OF APPLICANT OR HOUSEHOLD MEMBER FOR ANY REASON, INCLUDING THE USE, MANUFACTURE, SALE OR DISTRIBUTION OF CONTROLLED SUBSTANCES;
3. SUBSTANDARD HOUSEKEEPING HABITS AND/OR NEGATIVE RENTAL PAYMENT AND/OR NEGATIVE LEASE COMPLIANCE HISTORY.

If an application is rejected, the applicant is notified by mail of the reason(s) for the rejection. The applicant is notified of their right to respond in writing or to request a meeting to discuss the rejection within fourteen (14) days of the date of the rejection notice. During this time period we will proceed with the next applicant on our wait list.

## UNIT POLICIES

### UNIT SIZE POLICY: ONE BEDROOM UNITS

One bedroom units shall be available to one- or two-member elderly households.

### UNIT SIZE POLICY: ONE BEDROOM ACCESSIBLE UNITS

One bedroom mobility accessible units shall be available to one- or two-member elderly households. At least one member of the household must have a mobility impairment that would benefit from the design features of an accessible unit.

The following suites at FEDOR MANOR are accessible units:

201	501	701	809	1001
301	601	709	901	1009
401	609	801	909	1101

### Unit Transfers:

Unit transfers may be available to current residents whose medical and/or disability needs require a mobility-impaired accessible apartment or another regular apartment. The resident needs to provide a written request and a completed verification of need form from a licensed medical provider indicating a medical necessity for the transfer. The resident will then be placed on our appropriate wait list.

### Medical Accommodations:

Reasonable accommodations will be made for any resident requesting mobility features/apparatus in addition to what is provided in accordance with Sec. 504 of the Rehabilitation Act of 1973.

## ASSIGNING UNITS

Vacant accessible units shall be offered in the following order:

1. To a current tenant household which includes a mobility impaired member who requires the accessibility features of the unit;
2. To the next eligible, qualified applicant household on the accessible unit waiting list, which includes an individual with a mobility impairment who requires the accessibility features of the unit.

If no current tenant or applicant household requires an accessible unit, the unit shall be offered to the next eligible applicant household from the regular suite waiting list, without a mobility impaired member, provided that said applicant agrees to relocate, at our expense, to another unit when one becomes available and the need arises for the accessible unit. **FEDOR MANOR** is not responsible for telephone and/or cable disconnect-reconnect fees.

### **LIVE-IN AIDE**

A live-in aide is defined as a person who resides with one or more elderly persons for the essential care and well-being of the person, is not obligated for the support of the person, and would not be living in the unit except to provide necessary supportive services.

Live-in aides are subject to all rules and regulations in accordance with the Fedor Manor lease and house rules. Management reserves the right to refuse continued occupancy for any infractions of lease and/or house rules.

Live-in-aide's income is counted with household income in determining rent amount resident is required to pay.

Medical need verification by the applicant's and/or resident's medical health provider, and a criminal background check, and a controlled substance certification of non-use are required prior to the live-in aide joining a household.

### **FIRE ARMS**

Fedor Manor does not permit tenants to possess firearms of any kind. Visitors may not bring firearms into the building.

### **ADVERSE CRIMINAL HISTORY**

First degree misdemeanors and/or felonies within the past seven (7) years will be grounds for rejection of an applicant.

Second degree and/or third degree misdemeanors and traffic violations will not be considered as grounds for rejection of an applicant.

Sexual predator conviction records will be grounds for rejection.

### **TENANT FILES**

Tenant files are available for tenant review, or by third parties, provided Fedor Manor has received signed authorization from the tenant(s). Files may not be removed from the office.

### **Implementation of the Violence Against Women and Justice Department Reauthorization Act of 2005 for Multifamily Project-Based Section 8 Housing Assistance Payments Program.**

1. The purpose of this Notice is to provide guidance to owners and management agents (O/As) administering one of Multifamily Housing's project-based Section 8 programs on the implementation of the Violence Against Women Act and Department of Justice Reauthorization Act of 2005, Public Law 109-162, hereafter referred to as VAWA.

In summary, the VAWA provides legal protections to victims of domestic violence, dating violence or stalking. These protections prohibit O/As from evicting or terminating assistance from individuals being assisted under a project-based Section 8 program if the asserted grounds for such action is an instance of domestic violence, dating violence or stalking.

2. On January 5, 2006, President Bush signed into law the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) and on August 12, 2006, signed into law technical corrections to the VAWA (Public Law 109-271).

The VAWA protections apply to families applying for or receiving rental assistance payments under the project-based Section 8 program. The law protects victims of domestic violence, dating violence or stalking, as well as their immediate family members generally, from being evicted or being denied housing assistance if an incident of violence that is reported and confirmed. The VAWA also provides that an incident of actual or

threatened domestic violence, dating violence or stalking does not qualify as a serious or repeated violation of the lease nor does it constitute good cause for terminating the assistance, tenancy, or occupancy rights of the victim. Furthermore, criminal activity directly relating to domestic violence, dating violence or stalking is not grounds for terminating the victim's tenancy. O/As may bifurcate a lease in order to evict, remove, or terminate the assistance of the offender while allowing the victim, who is a tenant or lawful occupant, to remain in the unit.

**a.** The law offers the following protections against eviction or denial of housing based on domestic violence, dating violence or stalking:

**i.** An applicant's or program participant's status as a victim of domestic violence, dating violence or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

**ii.** An incident or incidents of actual or threatened domestic violence, dating violence or stalking will not be construed as serious or repeated violations of the lease or other "good cause" for terminating the assistance, tenancy, or occupancy rights of a victim of abuse.

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

**iv.** Assistance may be terminated or a lease "bifurcated" in order to remove an offending household member from the home. Whether or not the individual is a signatory to the lease and lawful tenant, if he/she engages in a criminal act of physical violence against family members or others, he/she stands to be evicted, removed, or have his/her occupancy rights terminated. This action is taken while allowing the victim, who is a tenant or a lawful occupant, to remain.

**v.** The provisions protecting victims of domestic violence, dating violence or stalking engaged in by a member of the household, may not be construed to limit the O/A, when notified, from honoring various court orders issued to either protect the victim or address the distribution of property in case a family breaks up.

**vi.** The authority to evict or terminate assistance is not limited with respect to to a victim that commits unrelated criminal activity. Furthermore, if an O/A can show an actual and imminent threat to other tenants or those employed at or providing service to the property if an unlawful tenant's residency is not terminated, then evicting a victim is an option, the VAWA notwithstanding. Ultimately, O/As may not subject victims to more demanding standards than other tenants.

**vii.** The VAWA protections shall not supersede any provision of any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence or stalking. The laws offering greater protection are applied in instances of domestic violence, dating violence or stalking.

### **REVIEW OF POLICY**

This admission policy will be reviewed and amended periodically to reflect the operational directives outlined by the United States Department of Housing and Urban Development while maintaining the mission of **FEDOR MANOR** (SS. C. & M. Haven, Inc.) to provide comfortable, affordable housing for our residents, and fair treatment to all applicants.

Revised May 2010

I have read the enclosed RESIDENT SELECTION PLAN and I am returning this signed page for your records.

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Print Name

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Signature of Applicant

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Date