



HALE MAHAOLU

Ewalu

TENANT SELECTION PLAN

RECEIVED AT HLM MEETING ON 3/8/23
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INTRODUCTION

Hale Mahaolu tenant selection plan is to ensure that tenants are selected for occupancy in accordance with HUD requirements and Hale Mahaolu's management policies.

HOUSING ELIGIBILITY REQUIREMENTS

The policy of Hale Mahaolu is one of equal opportunity and non-discrimination in compliance with all Civil Rights legislation (1964, 1968, 1988) Section 504 of the Rehabilitation Act of 1973, ADA, and Affirmative Fair Housing Marketing requirements as set forth individually for each property. No applicant would be denied on the basis of race, color, religion, sex, familial status, handicap status, or national origin. Housing Site applicants must meet the HUD income requirements. Individuals/families where head of household or spouse is 62 years of age or older or where household or spouse is 18 years of age or older who are mobility impaired and whose impairment requires the special design features of a mobility impaired unit.

ELIGIBILITY REQUIREMENTS

Failure to meet eligibility requirements in any one or more of these categories will result in the rejection of the applicant. In order to be accepted as a resident, each applicant will be required to provide third-party verification for required information in each of the categories listed below at an in-person eligibility interview.

HOUSEHOLD COMPOSITION

Definition of head of household: As listed on the application, the 1st or primary applicant. If only one person is applying, that person will be the head of household.

Definition of co-head: The 2nd applicant, as listed on the application.

To be eligible for housing at Housing Site The head of household must be 62 years of age or older or where household or spouse is 18 years of age or older who are mobility impaired and whose impairment requires the special design features of a mobility impaired unit.

CITIZENSHIP REQUIREMENTS

It is Hale Mahaolu policy to Follow HUD policy to restrict housing to U.S. citizens or nationals and noncitizens that have eligible immigration status. The restriction on assistance to noncitizens applies to all properties except Section 202 PRAC and Section 202 projects who do not receive assistance under the Rental Supplement or Section 8 programs.

Hale Mahaolu requires that all family members, regardless of age, must declare their citizenship or immigration status. All applicants applying for assistance are given notice of the requirement to submit evidence of citizenship or eligible immigration status at the time of initial tenancy process.

All noncitizens (except those age 62 and older) must sign a Verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Hale Mahaolu requires all noncitizen family members who declared eligible immigration status to verify the validity of the acceptable DHS Documents submitted by the applicant by using the Systematic Alien Verification for Entitlements (SAVE) or mails a Form G-845S, with photocopies of the immigration documentation to the local immigration office to receive verification of validity of the documents.

Noncitizens age 62 and older must sign a declaration of eligible immigration status and provide a proof of age document. Hale Mahaolu accepts the following documents provided by Applicant as proof of age:

- Birth Certificate
- Baptismal Certificate
- Military Discharge papers
- Valid passport
- Census document showing age
- Naturalization certificate
- Social Security Administration Benefits printout

Temporary Deferral of Termination of Assistance

Families that were receiving assistance on June 19, 1995 under one of the programs covered by the non-citizen rules are eligible for temporary deferral of termination of assistance, if the following applies:

1. Family has no eligible members;
2. Mixed families qualifies for prorated assistance (and does not qualify for continued assistance) and chooses not to accept the partial assistance;

The deferral allows the family time to find other suitable housing before HUD terminates assistance. During the deferral period, the family continues to receive its current level of assistance.

The initial deferral period is for six months and may be extended for an additional six-month period, not to exceed 18 months.

At the beginning of each deferred period, Hale Mahaolu will inform the family of its ineligibility for financial assistance and offer the family information concerning, and referrals to assist in finding, other affordable housing.

SOCIAL SECURITY NUMBER REQUIREMENTS

Hale Mahaolu requires all applicants to provide documentation of Social Security Numbers for all family members. Hale Mahaolu's acceptable documentation is a copy of the original Social Security Card. If the original Social Security card is not available Hale Mahaolu will accept HUD's acceptable documents (4350.3 Rev-1 Appendix 3) as follows:

1. Original documents issued by federal or state government agency which contains the name, SSN, and other identifying information of the individual
2. Identification card issued by a medical insurance provider, or by an employer or trade union
3. Earnings Statements on payroll stub
4. Bank Statement
5. Form 1099
6. Benefit award letter
7. Retirement benefit letter
8. Life Insurance Policy
9. Court records

If an applicant has a SSN but does not have the required documentation, the applicant may submit the SSN and certify that the number is accurate but that acceptable documentation could not be provided, however, an applicant may not become a participant in the program unless the applicant submits the required SSN documentation to Hale Mahaolu prior to tenancy.

An applicant family member who is under the age of six (6), who does not yet have a Social Security Number (SSN) assigned to him/her, and was added to the household 6 months or less from the move-in date may become a participant in the program. The household has 90 days from the effective date of their move-in certification to provide documentation of the SSN for the child.

INCOME LIMITS

Households must meet income guidelines set forth by HUD. Income limits are updated annually.

Hale Mahaolu uses HUD established income limits to ensure that federal rental assistance is provided only to an eligible household. Hale Mahaolu determines income eligibility prior to approving applicants for tenancy. Households must have annual income that is less than or equal to HUD established income limits for very low- income families.

ACCEPTING APPLICATIONS

Hale Mahaolu requires anyone who wishes to be admitted to Housing Site or placed on one or more of our property's waiting lists must complete an application. The application must include a signature from the applicant certifying to the accuracy and completeness of information provided as the date the application is signed. Upon receiving the application Hale Mahaolu records the date and the time the applicant submitted an application. The housing site that receives the application must submit a copy of the application to all housing sites that the applicant selected to be a tenant. Each individual housing site must determine if the household is eligible for tenancy of that particular housing site. The individual housing site will notify the applicant with its preliminary determination of eligibility. If the application is accepted, the applicant will be placed on each individual housing sites waitlist. An applicant may only have one (1) active application on each of the individual housing sites waitlist. Applicants must participate in a face to face interview shortly before actual accepting a unit and placement as a resident.

PREFERENCES

Preference for readmission to a unit will be given to former residents of the Housing Project who are on the Waiting List and who had vacated their unit due to a medical necessity. (i.e. placement in Hale Makua, Kula Hospital, Maui Memorial Medical Center, etc.) and who requested (at time of vacate) housing after "discharge" from the medical facility. If two or more such applicants are on the waiting list, the first to request housing would be given first consideration. If the former resident refused the offered unit, his/her name will be dropped from the waiting list and he/she would no longer receive preferential treatment.

SCREENING TENANTS

Hale Mahaolu screens tenants to help ensure that families admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes. Hale Mahaolu uses the following screening criteria to determine whether applicant will be a suitable tenant. If Hale Mahaolu's review of information about the applicant indicates that the applicant will not be a suitable tenant, Hale Mahaolu will reject the application for assistance or tenancy.

Drug Abuse and other Criminal Activity - The Quality Housing and Work Responsibility Act (QHWRA) provided authority for screening and denial of Federally-assisted housing to individuals and families with specific types of criminal activities. To receive housing assistance, applicants and tenants who are 18 and over must consent to have criminal history background check from the state where the housing site is located and other states where the household members are known to have resided. Admission will be denied for the following reasons:

- Any household member has been evicted from Federally-assisted housing for drug-related criminal activity, for ten years from the date of eviction. If the evicted household member who engaged in drug-related criminal activity has successfully completed supervised drug rehabilitation program or circumstances leading to the eviction no longer exist, Hale Mahaolu may, 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 drug may interfere with the health, safety, or right of 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 established standards that prohibit admission to any Federally-assisted property to sex offenders subject to a lifetime registration requirement under a state sex offender's registration program.

- The Owner determines that there is reasonable cause to believe that a household member's abuse of alcohol interferes with the health safety, or right to peaceful enjoyment of the premises by other residents.
- Within 25 years before the admission decision, you had a conviction for:
 - Violent criminal activity;
 - Drug-related 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 Hale Mahaolu or any employee, contractor, subcontractor or agent of the Owner who is involved in the housing operations.
- All convicted criminal history post 25 years will be rejected with the opportunity for an appeal. You have the right to respond to the site in writing within fourteen (14) calendar days from the date of the rejection letter to appeal the rejection of your application.

Credit History – It is Hale Mahaolu policy to verify credit history for all potential tenants to determine how well applicants meet their financial obligations. Hale Mahaolu performs a credit check by verifying any outstanding balance from the two collection agencies located in Maui. If applicant has an outstanding balance and/or is not making any attempt to pay on any outstanding balance applicant will be rejected. If an applicant is making consistent payments to the outstanding balance, their application may be consider for tenancy.

Rental History - It is Hale Mahaolu policy to obtain references from past landlords. Hale Mahaolu requires at least (2) two references from past landlords. Hale Mahaolu also accepts references from family members, friends in which the applicant has resided at. Also, Hale Mahaolu keeps a list of prior residents for additional information for tenants that wish to move back into one of our housing sites.

Students Rule - No Section 8 assistance shall be provided under Section 8 of the 1937 Act to any individual who is enrolled as either a part-time or full-time student at an institution of higher education that is:

1. Under 24 years of age
2. Is not a veteran of the United States military
3. Is not married
4. Does not have a dependent child
5. Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive assistance under Section 8.
6. Is not living with his/her parents who are receiving Section 8 Assistance.
7. Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 and was not receiving Section 8 assistance as of November 30, 2005.

For a student under the age of 24 who is not a veteran, is unmarried, does not have a dependent child and who is seeking section 8 Assistance, a two-part income eligibility test is required. Both parts of this test must be affirmatively met. 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.

A student under the age of 24 who meets the following criteria may be income eligible for assistance:

1. The individual must be of legal contract age under state law
2. The individual must have established a household separate from parents or legal guardians for at least one year prior to application for occupancy OR the individual must meet the U.S. Department of Education's definition of an independent student.
 - a. The definition of an "independent student" as one who meets at least one of the following criteria:
 - i. Is at least 24 years of age
 - ii. Is or was an orphan or ward of the court, or in foster care at any time when individual was 13 years of age or older
 - iii. is a veteran or currently serving on active duty
 - iv. has legal dependents other than a spouse (e.g., children or elderly, dependent parents)
 - v. is a graduate or professional student
 - vi. or is married
 - vii. Emancipated or in legal guardianship
 - viii. Unaccompanied and homeless or at risk of homelessness
3. The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.
4. The individual must obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support.

It is Hale Mahaolu policy is to ensure that at each annual re-certification, the student remains eligible to receive section 8 Assistance by applying the same criteria.

In determining the income eligibility of a student, the student's financial assistance in excess of tuition will be included in the calculation of annual income.

Note: College students with disabilities are exempt from the restriction on providing Section 8 rental assistance to college students if the student with disability was receiving the assistance as of November 30, 2005.

ENTERPRISE INCOME VERIFICATION (EIV)

Enterprise Income Verification (EIV) is used at all Hale Mahaolu HUD housing sites (Elua, **Housing Site**, Eha, Lahaina Surf, Home Pumehana, Luana Gardens, Elima, Eono, and Ehiku ph. 1B and ph. II Building H) by the Certified Occupancy Specialist (COS). This person has been specifically trained and is an authorized user of this system which authenticates applicant and resident incomes. Additionally, the COS checks if an applicant is already receiving a federal housing subsidy, using an "Existing Tenant

Report". Information is gathered using EIV during the initial tenancy process as well as during annual recertification and interim recertification.

VAWA PROTECTIONS

Hale Mahaolu does not consider incidents of domestic violence, dating violence, sexual assault or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse.

Hale Mahaolu does not consider criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse.

Hale Mahaolu may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91066, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

Under protection of the VAWA, Housing Site may allow tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit.

INCOME TARGETING

Hale Mahaolu uses the policy of leasing all of our project-based Section 8 assistance leases not less than 40% of the dwelling units that become available for occupancy in any project fiscal year to extremely low-income families. The following procedures are followed to ensure that at least 40% of the dwelling units that become available for occupancy in any project fiscal year to extremely low-income families:

- Estimate annual turnover for the property based on turnover history.
- Analyze the waiting list by income category, looking particularly at the top of the list, which are likely to be offered units during the coming year.
- If at least 40% of the applicants on the waiting list who are expected to be offered units during the year have incomes at or below the extremely low-income limit. Applicants are admitted in order.
- If at least 40% of the applicants who are expected to be offered units in the next year do not have incomes at or below the extremely low-income limit Hale Mahaolu alternate between the first extremely low-income applicant on the waiting list and the applicant at the top of the waiting list for the available unit, and then select the next eligible applicant currently at the top of the waiting list (regardless of income level) for the next available unit. As subsequent become available, tenant selection continues to alternate between the next extremely

low-income applicant and the eligible applicant at the top of the waiting list until the 40% target is reached.

REJECTING APPLICANTS

Hale Mahaolu rejects applicants if the applicant:

- Is ineligible for occupancy in a particular unit or property;
- Is unable to disclose and document SSNs of all household members who are at least 6 years old;
- Does not sign and submit verification consent forms;
- Has household characteristics that are not appropriate for the specific type of unit available at the time, or has a family of a size not appropriate for the unit sizes that are available;
- Includes family members who did not declare citizenship or non-citizenship status, or sign a statement electing not to contend noncitizen status;
- Does not meet the Hale Mahaolu tenant screening criteria.

Hale Mahaolu policy must send rejection notices in writing that include the specifically stated reason(s) for the rejection and gives the applicant the right to respond to Hale Mahaolu in writing or request a meeting within 14 days to dispute the rejection.

If the applicant requests a meeting to discuss the applicant's rejection the meeting will be conducted by a member of Hale Member's staff who was not involved in the initial decision to deny admission or assistance and that staff member will respond within 5 business days advising the applicant in writing of the final decision on eligibility.

If the applicant is a person with disabilities, Hale Mahaolu must consider extenuating circumstances where this would be required as a matter for reasonable accommodation.

OCCUPANCY STANDARDS

Two persons per bedroom.

Maximum Occupancy Limit: Two persons for each bedroom.

Over Occupancy: Exists when the maximum occupancy limit is exceeded. Family will be required to complete transfer or vacate the unit within six months of occurrence or notification. (i.e., 1 Bdrm. – greater than 2).

INTRA-PROJECT TRANSFER

It is the policy of Hale Mahaolu to conduct intra-project transfers of resident's under certain circumstances and using the following guidelines and procedures.

Hale Mahaolu reserves the right to conduct any transfers deemed to be in the interest of the housing site and Hale Mahaolu. Transfers may be requested for a maximum

occupancy condition and/or for a life-threatening medical condition (i.e., second floor resident suffers heart attack, request transfer to ground floor unit.)

To request transfers for any other reason, the family must submit another housing application for a specific unit size (i.e., family composed of husband, wife, daughter, and son requests transfer from a two-bedroom unit to a three-bedroom unit). Such transfer request must be in writing and will be the primary responsibility of the resident family.

All transfers must be recommended by the Housing Manager and approved by the Executive Director. Unless waived by the resident, Management will provide at least ten (10) days advance written notice of the transfer date. The resident will incur additional rental charges for the unit being vacated if the transfer is not completed within two (2) calendar days. Refurbishing charges, if any, shall be assessed to the respective transferring family.

Priority of transfers shall be as follows:

1. VAWA Emergency Transfer
2. Medical Condition
3. Best interest of housing site and Hale Mahaolu
4. Required transfer (i.e., under occupancy or other occupancy)
5. Maximum occupancy status
6. By virtue of the waiting list

If a member of a tenant household becomes disabled with an impairment that requires special accessibility features and the tenant request an accessible unit, Hale Mahaolu will move that tenant into an accessible unit in lieu of making the tenant's existing unit accessible and usable. However, if a tenant needs only minor modification to his or unit, and does not need a fully accessible unit, Hale Mahaolu will make modifications and leave the project's fully accessible units available for tenants who need such units.

If a member of a tenant household is a person who does not need specific accessible features, but whose disability requires that they live on a particular floor or location on the floor, Hale Mahaolu will move that tenant household to the new unit. If such a unit is not available, Hale Mahaolu will assign the tenant to the next available unit that meets the need of the tenant. The accommodation must be based on the tenant's disability-related need for the particular floor or location on the floor, and not based on the tenant's personal preferences.

If a tenant household is being moved to a different unit as a reasonable accommodation to a household member's disability, then Hale Mahaolu will pay for the move unless doing so would constitute an undue financial and administrative burden.

In accordance with the Violence Against Women Act (VAWA) Kulamalu Hale allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. The ability of Kulamalu Hale to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or

stalking, and on whether HP has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

NONDISCRIMINATION REQUIREMENTS UNDER THE FAIR HOUSING ACT

Hale Mahaolu prohibits discrimination in housing on basis of race, color, religion, sex, disability, familial status, or national origin.

TITLE VI OF THE CIVIL RIGHTS ACT

Hale Mahaolu prohibits discrimination on the basis of race, color or national origin in any program or activity receiving (HUD) federal financial assistance.

SECTION 504

Hale Mahaolu prohibits discrimination on the basis of disability in any program of activity receiving federal financial assistance.

EQUAL ACCESS HN 2016-06

Equal Access to Housing in the HUD programs regardless of sexual orientation or gender identity is intended to ensure that housing across HUD programs is open to all eligible individuals and families regardless of actual or perceived sexual orientation, gender identity or marital status.

WAITING LIST

Hale Mahaolu does not close its waitlist.

It is Hale Mahaolu's policy to follow their Affirmative Fair Housing Marketing Plan in accepting application for the respective waiting list.

SUBJECT TO CHANGE

Changes in policy and procedure may necessitate revisions to this Tenant Selection Plan therefore the Tenant Selection Plan is subject to change with or without notice.