



Dear Applicant:

Enclosed please find the information you requested on Heritage at Whiting as well as an application for the waiting list. Please note that being placed on the waiting list does not guarantee occupancy of a unit. **At some point, as your name gets closer to the top of the wait list, your credit, criminal and sex offender background checks will be conducted. It is suggested you review your credit report from TransUnion and address any outstanding items. An applicant can be rejected for tenancy for failing one or more of the NJHMFA reporting requirements, eligibility criteria and/or tenant screening criteria as outlined in the enclosed Tenant Selection Criteria.**

Please carefully review all the information we are enclosing, then complete the application and return it to our office; no facsimiles or e-mails will be accepted. **Heritage at Whiting is a Smoke-Free community.**

Answer **all** questions as completely and accurately as possible. Any incomplete application will be held in a pending file and will not be processed until all information is received.

It is your responsibility to –

- 1) inform this office in writing of any change in address, name or telephone number and
- 2) contact this office if you do not receive a confirmation letter stating that your application has been received.

Eligible applicants are added to the waiting list in chronological order based on time and date received; no facsimiles or e-mails will be accepted. You will receive a confirmation letter once your name has been placed on the waiting list. When your name is near the top of the waiting list you will be asked to complete the final application.

Should you require additional information, please contact the management office during normal business hours Monday through Friday from 9:00 am to 3:00 pm. The office is closed on weekends and most holidays. The office phone number is 844-260-7164. If you would like to meet with us in person, we suggest you make an appointment to insure that we have scheduled time to answer your questions.





This property is a New Jersey Housing Management Agency (NJHMFA) funded project and operates in accordance with the federal Fair Housing Act which prohibits housing discrimination based on race, color, national origin, religion, sex, disability, and familial status (i.e., presence of children in the household). NJHMFA enforces regulations that ensure its programs are open to all eligible individuals regardless of actual or perceived sexual orientation or gender identity.

Thank you for your interest in Heritage at Whiting. We hope the information provided is helpful. If you are an individual with disabilities you may inform us of this fact and request “reasonable accommodation”-changes in our site’s nonessential policies and practices- which would give you an equal opportunity to pursue the application process.

Sincerely,

Christina Collura
Community Manager

6 Enclosures: Pre-application for Waiting List Form; Housing Requirement Questionnaire; Eligibility Requirements; Tenant Selection Criteria (5/1/2017); Limited English Proficient Notice to Residents & Applicants, A Summary of Consumer Rights Under the Fair Credit Reporting Act





Pre-application/Waiting List Form

Heritage at Whiting, 40 Lacey Road, Manchester Township, NJ 08759/844-260-7164

Heritage at Whiting is a Smoke-Free Community

If you have a disability and need assistance with the application process, please contact Christina Collura at 844-260-7164

1. List each person who would be living in the unit if you received assistance. (begin with yourself)

Last Name	First Name	Birth Date	Relation to you	Social Security Number	Gross Annual Income
_____	_____	____/____/____	_____	____/____/____	\$_____
_____	_____	____/____/____	_____	____/____/____	\$_____

2. Current Address _____ Apt. # _____

City _____ State _____ Zip _____ Tele _____
Day Night

3. a. Does anyone live with you now who are not listed above? YES NO

b. If yes, explain why this person will not be living with you if you move into a unit. _____

4. Is anyone listed above a full-time Student? YES NO

5. Have you ever lived in government subsidized housing? YES NO

If yes, provide the following information on the most recent subsidized housing:

Name and address of site/landlord _____

City _____ State _____ Zip _____ Tele # _____

6. Does any member of your household have any special needs? YES NO

If yes, please identify: _____

7. Have you or any household member been - evicted from assisted housing? YES NO

on any lifetime sexual offender registry? YES NO

8. How did you hear about Heritage at Whiting? _____

9. Race of Household (there is no penalty for not completing this item [optional])

- White Black or African American American Indian or Alaskan Native
- Asian Native or Hawaiian or Pacific Islander Other

10. Ethnicity of Head of Household (there is no penalty for not completing this item [optional])

- Hispanic or Latino Non-Hispanic or Non-Latino

Applicant Certification: I hereby certify that the statements made on this application are true and complete to the best of my knowledge and belief. I understand that providing false statements or incomplete information may result in punishment under Federal Law.

Applicant Signature: _____ Date: _____

Applicant Signature: _____ Date: _____

Management Office Use:

Date Application Mailed _____ Initials _____ Date & Time Application Returned _____ Initials _____



Solicitud previa/formulario de la lista de espera

Heritage at Whiting

(Esta versión traducida del documento solo tiene el propósito de brindar información. La versión operativa está en inglés).

Si tiene una discapacidad y necesita asistencia con el proceso de solicitud, comuníquese con el Director ejecutivo de esta comunidad.

1. Mencione a cada persona que vivirá en la unidad si recibió asistencia. (Comience por usted mismo)

Apellido	Nombre	Fecha de nacimiento	Relación con usted	N.º de seguro social	Ingreso anual bruto
_____	_____	____/____/____	_____	____/____/____	\$ _____
_____	_____	____/____/____	_____	____/____/____	\$ _____

2. Dirección actual _____ Apto. N.º _____

Ciudad _____ Estado _____ Código postal _____ Tel. _____

3. a. ¿Alguien más vive con usted ahora que no se haya mencionado anteriormente? **SÍ** **NO**

b. Si la respuesta es afirmativa, explique porqué esta persona no vivirá con usted si se muda a una unidad.

4. ¿Es alguna de las personas antes mencionadas un estudiante de tiempo completo? **SÍ** **NO**

5. ¿Alguna vez ha vivido en una vivienda subsidiada por el gobierno? **SÍ** **NO**

Si su respuesta es afirmativa, proporcione la siguiente información sobre la vivienda subsidiada más reciente:

Nombre y dirección del sitio/propietario _____

Ciudad _____ Estado _____ Código postal _____ N.º de tel. _____

6. ¿Tiene algún integrante de su grupo familiar alguna necesidad especial? **SÍ** **NO**

Si la respuesta es sí, identifique: _____

7. ¿Usted o algún miembro de su familia han sido desalojados de la vivienda asistida? **SÍ** **NO**

O ¿Han aparecido en algún registro de agresor sexual en su vida? **SÍ** **NO**

8. ¿Cómo se enteró de esta comunidad? _____

9. Raza del grupo familiar (no existe sanción alguna por no completar este inciso [opcional])

- Blanco** **Negro o afroamericano** **Indígena americano o nativo de Alaska**
 Asiático **Nativo, hawaiano o isleño del Pacífico** **Otro**

10. Etnia del jefe del grupo familiar (no existe sanción alguna por no completar este inciso [opcional])

- Hispano o latino** **No hispano o no latino**

Certificación del solicitante: Por este medio certifico que las declaraciones realizadas en esta solicitud son verídicas y están completas según mi leal saber y entender. Entiendo que hacer declaraciones falsas o dar información incompleta puede ser motivo para un castigo según la Ley federal.

Firma del solicitante: _____ Fecha: _____

Firma del solicitante: _____ Fecha: _____

Management Office Use:

Date Application Mailed _____ Initials _____ Date & Time Application Returned _____ Initials _____

Heritage at Whiting

Applicants must meet the Eligibility Requirements below to qualify for an apartment. Rent varies based on unit size. All utilities are included in rent (excluding cable and telephone).

Eligibility Requirements – please refer to the Tenant Selection Plan for details.

Age: 55 and over

Income: Income limits vary based on unit size square footage

Income Cannot to Exceed *

1 person \$19,750 or

1 person \$32,900 or

1 person \$39,480

2 people \$22,600 or

2 people \$37,600 or

2 people \$45,120

(third and fourth person income limits only apply to the 2 bedroom units)

3 people \$25,400 or

\$42,300

4 people \$28,200 or

\$47,000

** Income limits are updated by the Department of Housing and Urban Development and are subject to change. The above limits are effective as of May 12, 2017.*

Equal Housing

This property is a New Jersey Housing Mortgage Finance Agency funded project and operates in accordance with the federal Fair Housing Act which prohibits housing discrimination based on race, color, national origin, religion, sex, disability, and familial status (i.e., presence of children in the household). The New Jersey Housing Mortgage Finance Agency enforces regulations that ensure its programs are open to all eligible individuals regardless of actual or perceived sexual orientation or gender identity.





HERITAGE AT WHITING

TENANT SELECTION PLAN

MAY 1, 2017

Whiting, New Jersey

Tax Credit Program



1. PROJECT DESCRIPTION & MISSION

Manchester Senior Housing is a New Jersey partnership. It owns and operates **Heritage at Whiting**, an apartment housing facility consisting of a 69-unit apartment complex in Whiting, New Jersey. Currently, **Springpoint Senior Living, Inc.** acts as the managing agent for this property. **Heritage at Whiting** has formulated a Tenant Selection Policy which meets the **New Jersey Housing Mortgage Finance Agency (NJHMFA)** Low Income Housing Tax Credit requirements. This Policy establishes a set policy that can be consistently applied to all applicants.

The **Low Income Housing Tax Credit (LIHTC) Section 42 program** covering the property has additional requirements for eligibility. All residents must fall under the **60% area gross median income (AGMI)** threshold at initial certification.

2. GENERAL INFORMATION

- 1. FAIR HOUSING:** Residency at **Heritage at Whiting** is open to all qualified eligible elderly and disabled persons in accordance with the **Fair Housing Act** which prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability and familial status. Residency is also in accordance with **Title VI of the Civil Rights Act of 1964** that prohibits discrimination on the basis of race, color, or national origin. Furthermore, residency is open to all qualified eligible persons covered under New Jersey protected classes of sexual orientation, gender identity, and marital status and in accordance with any other State recognized protected classes. If requested all applicants and tenants will be provided translation assistance if they are not proficient in English. Manchester Senior Housing does not discriminate based upon age for any reason, excluding LIHTC (low income housing tax credit) program/project requirements.
- 2. REASONABLE ACCOMMODATION:** In keeping with **Section 504 of the Rehabilitation Act** of 1973, **Heritage at Whiting** will make "**reasonable accommodations**" including **reasonable modifications** for individuals whose disabilities so require, in accordance with **HUD** regulations and management policies. This includes the application process and residency period. For more information on reasonable accommodations please refer to management's **Section 504 Compliance Policy**, Appendix I) or the site's Section 504 Coordinator.
- 3. ACCESSIBLE UNITS:** Because some of the units at **Heritage at Whiting** have been architecturally designed for accessibility (to various degrees), someone in the family must qualify as "needing" **the architecturally designed features to apply** for or receive a priority to live in these units. These units may have wider doorways, higher commode, extra grab bar(s) and may or may not have cabinets under sinks and kitchen work areas. An applicant requesting an accessible unit will be requested to verify his or her need with a medical practitioner and will be in accordance with **HUD Handbook 4350.3**.



4. **APPLICANT/TENANT RESPONSIBILITIES:** A person, in order to be a tenant at **Heritage at Whiting** must be capable of fulfilling all lease requirements. This means that all applicants must be able to meet all of his/her personal needs and be able to fulfill all lease obligations with or without assistance. **Heritage at Whiting** does not provide, and does not have the authority to provide, any personal services, medical care or supervisory services. **Heritage at Whiting** does not provide any assistance with personal activities of daily living. Should such assistance be needed by a resident, management will provide any applicant or tenant with a list of third party “providers” who deliver assistive living services in the community.
5. **ELIGIBILITY:** All potentially eligible, qualified applicants will be considered in accordance with the marketing procedures of **NJHMFA**. All applicants must comply with any applicable admissions requirements. Good faith efforts will be made to lease units to eligible tenants.
6. **INCOME LIMITS:** Income limits established by **NJHMFA** apply to **Heritage at Whiting** and thus applicants must meet specific income restrictions to be eligible for tenancy at **Heritage at Whiting** based on the minimum set-aside specified in the Allocation Agreement which is calculated as a percentage of the **area gross median income (AGMI)**. Income limits are established and adjusted annually. The household’s annual income may not exceed the applicable income limit for this property per the household size.
7. **Heritage at Whiting** reserves the right to alter the **Heritage at Whiting** Tenant Selection Plan at any time. In such an event, management will provide applicants and residents with ample notice.
8. **Heritage at Whiting** provides its applicants and residents the legal protections for victims of domestic violence, dating violence, sexual assault, or stalking in compliance with the Violence Against Women Act (VAWA) Reauthorization Act of 2013. These protections prohibit management from evicting or terminating assistance from individuals if the asserted grounds for such action are an instance of domestic violence, dating violence, sexual assault or stalking. VAWA permits management to request an applicant or tenant certify that he/she is a victim of domestic violence, dating violence, sexual assault, or stalking and that the incidence(s) of threatened or actual abuse are bona fide in determining whether the protections afforded under VAWA are applicable.

3. PREFERENCES

PREFERENCES: **Heritage at Whiting** has a preference for qualified Sandy-impacted residents until 90 days after the project is completed (i.e. a temporary certificate of occupancy (“TCO”) is issued). Preferences affect only the order of applicants on the waiting list. They do not make anyone eligible who was not otherwise eligible, and they do not change management’s right to adopt and enforce tenant screening criteria.



4. SMOKE-FREE FACILITY

SMOKE-FREE: Heritage at Whiting is a smoke-free facility and has instituted a Smoke-free Policy. The purpose of this policy is to protect the health and safety of our residents and property and prohibits smoking or tobacco use in all interior areas of the building. This includes, but is not limited to the following: common areas, community rooms, community bathrooms, lobbies, reception areas, hallways, laundry rooms, stairways, offices and elevators, within apartment units or within twenty-five feet of the building including entry ways, vestibules, porches, balconies and patios. The smoke-free policy is part of the House Rules that are an attachment to the lease, and if violated can result in eviction **as it is a Lease violation**. A violation of the Lease agreement may allow the Landlord to take action to terminate the lease.

5. ADMISSIONS

ELIGIBILITY: To live at **Heritage at Whiting** a resident must be:

- | |
|--|
| <ul style="list-style-type: none">○ An eligible elderly individual or family (See Definitions);○ Sect 811 PRA eligible individual or family as referred by the Department of Human Services. |
|--|

INDEPENDENT STUDENTS: In the LIHTC program, units comprised entirely of full-time students do not qualify as LIHTC units. One or more full-time students may be part of an otherwise qualified household, and part-time students are not prohibited. The prohibition only applies when the entire household consists of full-time students. The qualifying educational institution attended by the student determines whether or not the student is enrolled on a part-time or full-time basis. The term educational institution refers to those which have facilities and regular student body; including elementary schools, junior and senior high schools, colleges, universities, technical, trade and mechanical schools and institutes of higher learning.

IRC152(f)(2) defines a full time student as an individual who attended or will attend an educational institution during 5 or more calendar months of the current and/or upcoming calendar year is considered a full-time student.

The following are exceptions to the Student Eligibility Rule:

- At least one student is receiving assistance under Title IV of the Social Security Act (i.e.TANF)
- Was previously under the care of a state agency responsible for administering foster care
- Is enrolled in a job training program receiving assistance under the Job Training Partnership Act or under other similar federal, state or local laws
- All adult members are single parents with minor children, the adult is not a dependent of any third party, and the children are only claimed by a parent.



- All adults are married and entitled to file a joint tax return

During the application process, management will appropriately screen applicants and households for eligibility under this final rule. Management will ensure at each annual recertification that an independent student remains eligible.

6. PROCEDURES FOR APPLYING FOR HOUSING

- 1. APPLICATION PROCEDURE:** All persons/families interested in applying for housing at **Heritage at Whiting** must meet the following requirements to be "considered for housing". Applications may be picked up at the Management Office located at **40 Lacey Road, Whiting, NJ 08759** between the hours of 9:00AM and 3:00 PM, Monday through Friday. Applications can be requested in writing at the above address or by telephoning **(844) 260-7164** or the **Sprint NJ Relay Service 1-800-852-7899\TTY, 1-800-852-7897\Voice** or **711**. Applications should be returned during business hours in person or via first class mail. Allowances will be made for persons with disabilities or who live out-of-state. Applications will be date and time stamped and applications will enter the Waiting List in the chronological order of receipt. Eligible Section 811 applicants will be referred to the site by the Department of Human Services (DHS) in coordination with NJHMFA for the Section 811 PRA set aside units.
- 2. VERIFICATION:** All of the above information will be verified in accordance with NJHMFA **LIHTC Regulations and Requirements**. Applicants will be required to sign appropriate forms authorizing management to verify any and all factors that affect the applicant's eligibility or the rent that the applicant will pay. **NJHMFA** may release the information to other Federal, State and Local Agencies. If an applicant fails to supply all necessary verification forms, information, or meet the requests of the application process, or **Heritage at Whiting** cannot obtain verification of specific required information due to illegible forms/application, the applicant will be rejected (please refer to **Rejection Procedures** for further information).
- 3. APPLICANT ASSISTANCE:** In the event the applicant is personally unable to complete the form, the applicant must provide the information to someone assisting in completing the form. The person assisting the applicant must sign and date the application, indicating that it was completed at the direction of the named applicant. If the applicant is a person with disabilities, management must consider extenuating circumstances where this would be required as a matter of reasonable accommodation.
- 4. BED BUGS:** **Heritage at Whiting** recently adopted the policy of screening applicants for the presence of bed bugs prior to admittance to the property. If an applicant has had problems with these at their current residence, they **must** advise **Heritage at Whiting** of this prior to being offered an apartment. **Please note: This will not prevent the applicant from getting an apartment, however, Heritage at Whiting will not offer the applicant an apartment until the applicant participates with any request on behalf of management to ensure all**



furniture has been properly treated to eliminate any presence of bedbugs. If an applicant has a problem and does not advise Heritage at Whiting and brings the problem into the building, the new tenant may be in violation of their lease. A resident's failure to report a problem with bed bugs will also be considered a violation of their lease agreement.

7. INTERVIEWS

- 1. INITIAL ELIGIBILITY:** Upon receipt of the original application, the application is preliminarily reviewed. The initial review will be for application completeness, to make sure that the application is legible and to initially determine if the applicant appears to qualify for the **LIHTC program and if so, the applicant will be placed on the Waiting List.** This in no way means that an applicant qualifies, or is eligible. Eligibility can be confirmed only after all items which may have any bearing on the rent that the applicant may pay or subsidy he/she may receive are verified: income, assets, family composition, etc. The applicant must be determined eligible to be offered housing. Failure to meet for an interview or contact **Heritage at Whiting** will cause the removal of the application from the Waiting List.
- 2. ALTERNATE VERIFICATION:** In the absence of third party verification within 14 days after attempting third party verification, and no response being received, management will use "Review of Documents" to verify items/issues in accordance with the **HUD Handbook 4350.3 Chapter 5** (including all revisions).

8. WAITING LIST

- 1. WAITING LIST PLACEMENT:** Any applicant, who appears to qualify after **Heritage at Whiting** reviews the application, but before any information is formally verified, and for whom a unit is not currently available, will be placed on the Waiting List. All received applications are date and time stamped, entering the Waiting List in the chronological order of receipt. One Waiting List is maintained for all apartments at **Heritage at Whiting** which includes identification of the need for units architecturally designed for accessibility. The applicant is informed of the approximate wait for a unit and/or placement position on the Waiting List. It is the applicant's responsibility to report changes on the application to **Heritage at Whiting** in a timely fashion. Section 811 eligible tenants referred by the Department of Human Services have preference for the 811 PRA program set aside units.
- 2. ELIGIBILITY:** Applicants who are placed on the Waiting List are apparently eligible at the time of application, based on local applicable income limits as published annually in the Federal Register and information provided by the applicant. Verifications of income and other eligibility factors are only conducted at the time the applicant is called in for an interview and prior to move-in. Being placed on the waiting list does not guarantee that an applicant will be deemed qualified for an apartment, as that determination can only be made after all screening and verification has been completed.



TC TSP MSH 05/01/2017

3. **INCOMPLETE APPLICATIONS:** Any applicant who fails to complete his or her application form in its entirety will result in the disqualification of the application. An incomplete application will not be processed.
4. **APPLICANT RESPONSIBILITIES FOR INFORMATION UPDATES:** All applicants on the Waiting List are required to report, in writing, to the management office any change of address, telephone number (s) or information that may affect eligibility. If an applicant or designated contact cannot be reached by the management office due to incorrect information on the application or unreported changes, the applicant will be removed from the Waiting List.

Applicants may be contacted in writing once a year by **Heritage at Whiting** to confirm their continued interest in applying for residency. Failure by applicants to respond in writing within thirty (30) days to this request will result in the applicant being removed from the Waiting List without further notice.

5. **WAITING LIST STATUS:** Management will advise potential applicants of the closure of the Waiting List and refusal to take additional applications. A notice will be prominently posted in the Management/rental office or reception area and in a local newspaper, stating the reason the Waiting List is closed and the effective date of the closure. When the Waiting list is to be reopened, notice of this will be placed in the same local publication, as well as notifications sent to appropriate social service agencies stating when the Waiting List will be re-opened, as well as times and days that applications will be taken. This is done in accordance with **the Affirmative Fair Housing Marketing Plan**.
6. **EXCLUSION OF CULPABLE HOUSEHOLD MEMBERS:** **Heritage at Whiting** or the applicant may require a household member be excluded from the application for housing when that member's past or current actions would prevent the household from being eligible.
7. **REFUSAL OF AN OFFERED APARTMENT:** If an applicant on the Waiting List is offered an apartment and refuses the offered apartment, the applicant's name will be removed from the waiting list or moved to the bottom of the waiting list one time only. If an apartment is offered to an applicant when the applicant's name comes to the top of the Waiting List for a second time, and the applicant refuses the offered apartment, the applicant's application will be rejected and the applicant's name will be removed from the Waiting List. The applicant may reapply at a time when applications are being accepted for the Waiting List.
 - a. Section 811 Tenants: The Department of Human Services will be notified if an eligible 811 applicant refuses an offered apartment. DHS will refer another applicant to the development.
8. **LEASE SIGNING & MOVE-IN:** When an applicant is offered an apartment, the applicant must sign the lease within five (5) business days and move into the apartment. If for any reason the applicant is unable to sign the lease and move into the apartment within the allowed time, the application will be removed from the Waiting List.



- 9. IN-PLACE TENANT HOUSING NEEDS:** When a unit becomes available, in-place tenants requiring a different apartment (see Transfer Policy) will be housed appropriately before we move in an applicant on the Waiting List. This allows management to treat current tenants having the greatest housing need prior to an applicant on the Waiting List. In this manner, we are able to avoid displacing, through any action, current tenants whose housing needs have changed since admission. If a resident on the in-house Transfer Waiting List is offered an apartment and refuses the offered apartment (first offer), the resident may remain on the Transfer Waiting List at the original spot. In the event of a second refusal of an offered apartment, the resident will be removed from the Transfer Waiting List. The resident may request a transfer in the future.
- 10. REMOVAL OF NAMES FROM THE WAITING LIST:** Applicant names will be removed from the Waiting List for any of the following reasons:
- The applicant no longer meets the eligibility requirements for the property or program
 - The applicant fails to respond to a written notice within the required time frame
 - The applicant does not comply to the verification process in a timely manner
 - The applicant does not provide the required documentation in a timely manner
 - The applicant fails to sign any and all documents in a timely way, up to and including the lease
 - The applicant is offered an apartment for the second time and rejects the second offer; the applicant has already been moved to the bottom of the Waiting List one time and refuses the second offer
 - The applicant seeks deferral in the processing of the application for any other reason other than a verifiable medical reason
 - Mail sent to the applicant's address is returned as undeliverable, unclaimed or not forwarded
 - The applicant requests removal in writing from the Waiting List.
 - The applicant is no longer interested and decides not to proceed with the processing of the application.

NOTE: Being placed on the waiting list does not guarantee occupancy of a unit. The applicant can be subsequently rejected for failing one or more of the tenant screening criteria and/or eligibility criteria.

9. REJECTION PROCEDURES

- 1. MANAGEMENT REJECTION OF APPLICANT:** When management rejects an applicant or removes the applicant from the Waiting List, unless otherwise stated in the Tenant Selection Plan, the applicant will be promptly notified in writing of the decision. This written statement will include 1) the specific reason(s) for the rejection and 2) the applicant's right to respond to management in writing or to request a meeting within fourteen (14) calendar days to dispute the rejection. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.



REQUEST PROCEDURE: A written or verbal meeting request from the applicant, to dispute the rejection, must be received by management within fourteen (14) calendar days of the date of the rejection letter. Whenever possible a staff member, not involved in the initial decision to reject the applicant, will conduct the meeting. Management must advise the applicant in writing of the final decision on eligibility within five (5) business days of the appeal meeting. All applicant rejection information will be kept with the original application file for three (3) years in a secure area.

INDIVIDUALIZED ASSESSMENT CRITERIA – Upon request by a rejected applicant within 14 days of receipt of a rejection due to criminal records, Management will evaluate the criminal record(s) of the applicant(s) to determine if the decision to reject the application should be reconsidered and admission offered to the applicant. This determination of suitability will include consideration of the following factors:

- The seriousness of the criminal offense;
- The level of violence, if any, of the offense for which the applicant was convicted;
- The relationship between the criminal offense and the safety and security of residents, staff, or property;
- The length of time since the offense, with particular weight being given to significant periods of “good” behavior;
- The age of the applicant at the time of the offense;
- The number of and nature of any other criminal convictions;
- Evidence of rehabilitation, such as employment, participation in a job training program, education, participation in a drug or alcohol treatment program, or recommendations from a parole or probation officer, employer, or social worker.

10. UNIT SIZE STANDARDS & GUIDELINES

1. OCCUPANCY STANDARDS

- a) Minimum of one person per bedroom;
- b) Maximum of two persons per bedroom.
- c) The landlord is responsible for ensuring that the number of occupants in a unit meets local codes.

11. TRANSFER POLICY

1. **IN-HOUSE TRANSFERS:** Management will approve in-house transfers, in the following situations:
 - a) A **verifiable medical reason** requiring a different apartment or accessible unit, including the need for a 24-hour live-in care attendant (this will be verified with a medical practitioner using the **Heritage at Whiting** form).



- b) **Change in family composition** and/or **size**.
- c) Transfer from apartment **due to renovation** of previous apartment.
- d) A **household** that is living in a mobility-impaired apartment and **does not require the features** of that apartment.

Management will house persons from the in-house transfer waiting list first before offering the unit to someone on the outside waiting list. If a resident is offered a unit to transfer twice, the resident will be removed from the in-house transfer waiting list.

- 2. **REASONABLE ACCOMMODATION:** Requests for transfers that are based on a need for a reasonable accommodation will be provided priority over other requests. Transfers will be provided to persons who have a **medical or other verified need**, because of a disability, in the chronological order of requests received. All other transfers will be provided after requests for reasonable accommodations and will occur in chronological order by the date the request was received.

12. DEFINITIONS

1. ELDERLY FAMILY:

An Elderly Family includes but is not limited to:

- a) Families of two or more persons, the head of which (or his or her spouse) is 55 years of age or older;
- b) A single person who is 55 years of age or older; or

2. ANNUAL INCOME:

All amounts, monetary or not, which:

- 1. Go to, or on behalf of, the family head or spouse [or co-head] (even if temporarily absent) or to any other family member; or
- 2. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual re-examination effective date; and

3. Which are not specifically excluded [by regulation].

4. Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access. [24 CFR 5.609]

3. ELIGIBILITY:

The applicant household will be deemed eligible for a Project Unit when the household meets the project income limits and the rent, including tenant paid utilities, and the applicant's proposed rent does not exceed 60 percent of the household's eligible monthly income as determined pursuant to the LIHTC regulations; provided, however, that this limit may be exceeded if one or more of the following circumstances exists and provided that such circumstances is documented:



1. The household currently pays more than 40 percent of its gross household income for rent and the proposed rent will reduce its housing costs;
2. The household has consistently paid more than 40 percent of eligible monthly income for rent in the past and has proven its ability to pay;
3. The household is currently in substandard or overcrowded living conditions;
4. The household documents the existence of assets, with which the household proposes to supplement the rent payments; or
5. The household documents proposed third-party assistance from an outside source, including but not limited to Section 8 housing assistance

13. PROOF OF SOCIAL SECURITY NUMBERS

Applicants/spouses/co-head must disclose the Social Security numbers of all family members and provide documentation of same. Adequate documentation means a social security card issued by the **Social Security Administration (SSA)** or other acceptable evidence of the SSN. The head of household/spouse/co-head must disclose SSNs for all family members.

For Current Tenants:

All social security numbers must be provided and verified at the next interim or regularly scheduled recertification. All efforts should be made to ensure current tenants and those on the Waiting List are aware of this requirement.

For new additions to the household, including a child or children, the participant must submit the new member's SSN at the time of the request for assistance or at the time of processing the interim recertification of family composition.

- (1) Age Six or Older - When a tenant requests to add a household member who is age six or older, the documentation of the SSN for the new household member must be provided to management at the time of the request or at the time the recertification that includes the new household member is processed. Management must not add the new household member until such time as the documentation is provided.
- (2) Child Under the Age of Six
 - a. With a SSN - When adding a household member who is a child under the age of six with a SSN, the child's SSN must be disclosed and verification provided at the time of processing the recertification of family composition that includes the new household member.
 - b. Without a SSN - If the child does not have a SSN, management must give the household 90 days in which to provide documentation of a SSN for the child. An additional 90-day period **must** be granted by management if the failure to provide documentation of a SSN is due to circumstances that are outside the control of the tenant. Examples include but are not limited to: delayed processing of the SSN application by the SSA, natural disaster, fire, death in family, etc. During this time period, the child is to be included as part of the household and will receive all of the



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benefits of the program in which the tenant is involved, including the dependent deduction.

A TRACS ID will be assigned to the child until the documentation of the SSN is required to be provided. At the time of the disclosure of the SSN, an interim recertification must be processed changing the child's TRACS ID to the child's verified SSN.

For Applicants:

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

When an applicant has a SSN but does not have the required documentation, the applicant must submit the SSN and certify that the number is accurate but that acceptable documentation could not be provided. Please note that until such time that the applicant and/or household can provide proof of SSN for all household members (unless an exception applies), the household is ineligible from receiving subsidy assistance.

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

Child Under the Age of Six

- a. With a SSN - When adding a household member who is a child under the age of six with a SSN, the child's SSN must be disclosed and verification provided at the time of processing the recertification of family composition that includes the new household member.
- b. Without a SSN – **Provided the child was added to the household within the last six months**, the household will have 90 days and one additional 90-day extension to provide documentation of a SSN. (*Pursuant to 24 CFR 5.216*)

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



The SSN requirements do not apply to:

- (a) Individuals who do not contend eligible immigration status.
 - a. Mixed Families: For projects where the restriction on assistance to noncitizens applies and where individuals are required to declare their citizenship status, the existing regulations pertaining to proration of assistance or screening for mixed families must continue to be followed. In these instances, management will have the tenant's Citizenship Declaration on file whereby the individual did not contend eligible immigration status to support the individual not being subject to the requirements to disclose and provide verification of a SSN.
- (b) Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.

When determining the eligibility of an individual who meets the exception requirements for SSN disclosure and verification, management should obtain documentation that indicates the initial determination of eligibility was determined prior to January 31, 2010, that verifies the applicant's exemption status. This documentation must be retained in the tenant file. Management must not accept a certification from the applicant stating they qualify for the exemption.

Please refer to **HUD Notice 10-08** for further information regarding SSN requirements.

14. SCREENING\REJECTION CRITERIA

All applicants 18 years of age or older in a household will be screened for rental history, credit and criminal history, and general program eligibility prior to residency. All prospective tenants must agree and sign an authorization form allowing prospective Landlord to conduct a background check for Credit, including Landlord reference check as well as a Criminal Background check. An application may be rejected for any one of the following reasons:

- a) The applicant/family is not elderly;
- b) Submission of false, incomplete or inaccurate information on the application, or failure to cooperate in the verification process;
- c) The applicant has a history of unacceptable or unsatisfactory credit or criminal history as reported by a credit agency or other organization. This includes registration as a Sexual Offender. (*Please see **Credit & Criminal Screening Criteria** for more information*);
- d) Negative reference from current or previous landlord, including but not limited to late rent, non-sufficient funds (NSF) checks, lease violations, evictions, etc;
- e) Failure to sign designated or required forms;
- f) Failure to provide required documentation in a timely manner;
- g) The applicant cannot pay the appropriate security deposit at move-in;
- h) The applicant will be maintaining a separate 2nd residence and/or legal address;
- i) The applicant has been offered a housing apartment and has refused to take the apartment offered without a verifiable medically-related reason;



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- j) The applicant is not capable of fulfilling the lease agreement, with or without assistance;
- k) The applicant has an unacceptable criminal history (*as stated in the sections on Criminal or Drug-Related Activity and the Criminal Screening Criteria*);
- l) The applicant is unable to provide proof of social security numbers as required by management policy.

15. CRIMINAL OR DRUG-RELATED ACTIVITY

Upon move-in, tenants sign leases requiring them to accept responsibility for the actions of individual household members, their guests, or other persons on the premises with their consent. No tenant or member of the tenant's family or household, guest, or any other person visiting a tenant shall engage in criminal activity on or near the apartment complex. This criminal activity includes drug-related criminal activity, other criminal activity or drug and alcohol abuse that threatens the health and safety of the tenants and staff or hinders the peaceful enjoyment of the housing premises. "Drug-related criminal activity" means the illegal manufacture, sale, distribution and/or use of a controlled substance (as defined in **Section 102 of the Controlled Substance Act**).

- a) No tenant, or member of the tenant's household or family, or any guest or other person shall engage in any act intended to facilitate criminal activity, drug-related activity on or near the apartment complex;
- b) No tenant, or member of the tenant's household or family, or any guest or other person shall permit the dwelling unit to be used for, or to facilitate, criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, family or a guest;
- c) No tenant, or member of the tenant's household or family, or any guest or other person shall engage in the manufacture, sale or distribution of illegal drugs on or near the apartment complex or project site;
- d) No tenant, or member of the tenant's household or family, or any guest or other person shall engage in acts of violence, including, but not limited to, the unlawful discharge of firearms and/or weapons on or near the apartment complex.

Violation of the above provisions shall be a material noncompliance violation of the lease and good cause for termination of the lease. A single violation of any of these provisions shall be deemed a serious violation and material noncompliance of the lease. It is understood and agreed that a single violation shall be good cause for termination of the lease.

16. RENTAL, CREDIT & CRIMINAL SCREENING CRITERIA

1. Rental History:

- 1. If a prior landlord reported the applicant(s) damaged property or committed other lease violations the applicant can be denied. This includes lease violations, disturbing the peace, harassment, poor housekeeping habits, improper conduct or other negative reference against



the household.

2. Credit History:

A. Rental Screening Criteria

Confirmed eviction filings resulting in judgments for restitution or money owed will result in an **automatic denial** for:

- i. Any unpaid rental debt unless there is a repayment plan with the landlord and payments are current.

B. Rental Scoring and Exclusions - Springpoint Senior Living uses an outside firm for scoring.

- i. A scored report with a rental score of 60-100 is an acceptance.
- ii. A scored report with a rental score of 59 and below is a rejection;
Exclusions not factored into the rental scoring:
 - a) Negative medical debt, paid collections, and individual collections with a balance less than \$150.
 - b) Total negative debt of less than \$2,000
 - c) Lack of credit history is not grounds for denial.

3. Criminal Background History:

A. Rejection Criteria

Tenants/Applicants will be rejected if the tenants/applicant's or anyone in the household has a criminal history demonstrating a potential threat to the health and wellbeing of the other residents or the property. Examples of the restrictions to an applicant's criminal history includes, but is not exclusive of the following:

B. Convictions for crimes for which an applicant will be denied as **no time limit** will apply:

1. Individuals subject to a lifetime registration requirement under a state sex offender registration program.
2. Individuals convicted of the illegal manufacture or distribution of a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C 802).

C. Violent or Potentially Violent Felony Convictions

Convictions for which seven (7) to ten (10) years since the date of conviction must have elapsed. Decisions will be made on a case by case basis. Examples include the following but are not limited to:

1. 1st, 2nd, or 3rd degree homicide (i.e.: murder)
2. Voluntary manslaughter;



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3. Any attempt to solicit murder of any degree;
4. Sexual offenses of any kind that are not covered by A above;
5. Use, construction or detonation of weapons of mass destruction;
6. Arson;
7. Kidnapping;
8. Burglary
9. Robbery
10. Aggravated assault
11. Endangering the welfare of a child
12. Domestic violence

D. Non Violent Felony and Misdemeanor Convictions

1. Convictions for felony crimes for which two (2) to seven (7) years since the date of conviction must have elapsed Decisions will be made on a case by case basis. Examples include the following but are not limited to:

- a. Theft
- b. Conversion
- c. Weapons violations
- d. Prostitution
- e. Identity theft
- f. Computer crimes
- g. Illegal use or possession of controlled or illegal substances.

2. Graded or Ungraded Misdemeanor or Lower *Convictions* OR two (2) or more felony criminal convictions with different incident dates including but not limited to the following examples:

- a. Aggravated assault (misdemeanor)
- b. Stalking
- c. Theft
- d. Prostitution
- e. Firearms violations (misdemeanor)
- f. Possession of a controlled substance

While driving offenses including DUI convictions and charges may not be subject to this policy, a history of DUI convictions may result in a loss of driving privileges on these premises.

E. Cases which are considered to be “in process”, “held for court” or are otherwise without a clear disposition will be considered to be “pending” cases, unless the case has been pending for more than 3 years or if a conviction would not cause the applicant to be ineligible under the criminal history policy. If applicable, applications are to be considered pending until the



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applicant can provide proof that the crime(s) were found to be not guilty, dismissed, or not prosecuted.

F. End of Prison Term

Applicants will not be housed until at least two (2) to five (5) years after any prison term has ended. Decisions will be made on a case by case basis and consideration of mitigating circumstances.

4. Screening for Sex Offender Registration:

- A. Pursuant to 24 C.F.R. § 5.856 and § 5.905, **Heritage at Whiting** must perform criminal background checks during the application stage to determine if an applicant, or a member of an applicant's household, is subject to a lifetime registration requirement under any State sex offender registration program. Criminal background checks must be performed in the state in which the housing is located and for states where the applicant and members of the applicant's household may have resided. As such, applicants for admission into the applicable HUD-assisted housing programs must provide a complete list of all states in which any household member has resided. Failure to accurately respond to any question during the application process is cause to deny the family admission.
- B. If the processes described above reveal an applicant's household includes an individual subject to State lifetime sex offender registration, **Heritage at Whiting** must offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, **Heritage at Whiting** must deny admission to the family.
- C. During the annual review (re-certifications) process for each tenant, it is mandatory that management perform a criminal background check to determine if a household member is under any sex offender registration program. If **it is discovered** that a household member is a registered sex offender and was subject to a lifetime registration requirement at admission and was admitted after June 25, 2001, management must immediately pursue eviction or termination of assistance for the household member.

17. VIOLENCE AGAINST WOMEN ACT

The Violence Against Women Act extends housing protections to survivors of sexual assault. Protections cover any person living with the survivor and related to him or her by blood or marriage including the survivor's spouse, parent, brother, sister, child, or any person to whom the survivor. It also covers affiliated individual and intimate partner, applicants and residents who have been victimized by domestic violence, dating violence and stalking. It affords the following legal protections:



1. Applicants cannot be denied rental assistance solely because they were previously evicted from an assisted site from being victims of domestic violence.
2. Applicants cannot be denied assistance solely for criminal activity that was directly related to domestic violence.
3. Residents cannot be evicted solely because they were victims of domestic violence, in that being a victim of domestic violence does not qualify as a “serious or repeated violation of the lease” or “other good cause” for eviction. For example, if a resident/wife has filed in court for a restraining order and the domestic violence reoccurs, the site may evict the resident/husband, but not the wife.
4. Bar eviction and termination due to a tenant’s status as a survivor, and requires landlords to maintain survivor-tenant confidentiality. It also continues to prohibit a tenant who is a survivor of domestic violence from being denied assistance, tenancy, or occupancy rights based solely on criminal activity related to an act of domestic violence committed against them.
5. Allow a lease bifurcation so a tenant or lawful occupant who engages in criminal acts of physical violence against affiliated individuals or others may be evicted or removed without evicting or removing or otherwise penalizing a victim who is a tenant or lawful occupant. If victim cannot establish eligibility, the landlord must give a reasonable amount of time to find new housing or establish eligibility under another covered housing program.
6. Request a transfer if the tenant reasonably believes that they are threatened with imminent harm from further violence if the tenant remains in the same unit.
7. If a victim of domestic violence commits a criminal act unrelated to the domestic violence, or if the victim is an “actual or immediate threat to other tenant or those employed at or providing services to the site,” eviction is warranted.
8. Victims can be evicted or have their subsidies terminated for lease violations unrelated to VAWA protections and will not be held to a higher standard than other residents.
9. Residents wishing to report an incident of domestic violence must submit specific documentation as requested by site management, and all such documentation will remain confidential, unless required by law.
10. If after an incident of domestic violence, a resident allows the abuser to visit the site again as a guest and the violence reoccurs, the site may evict the resident.
11. Management will assist victims who need to move to other units or properties by providing a list of community resources the can go to for help.
12. HUD’s “Notice of Occupancy Rights Under the Violence Against Women act” will be provided to any applicant whose application is denied, as well as to each household upon move in.
13. An applicant may be denied because the applicant was previously banned from a property for violence, or removed from a lease at a property as the result of a bifurcated lease as the perpetrator of a VAWA crime.



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14. VAWA information will be kept strictly confidential. The identity of the victim and all information and documentation of a VAWA crime that is provided to management will be kept confidential – including any requests for VAWA protections. Measures to be taken include the following: information will be kept in a cabinet with a lock and only accessible to the Executive Director of the property; information will not be shared without the written consent (which must state consent for a specific purpose on a time-limited bases) of the resident or applicant; information will not be left out unattended; any documents no longer needed will be shredded; management will work with tenants to ensure confidential delivery arrangement of any documentation and take special care not to release any information that may put the victim in further danger. Any VAWA information will not be entered in any shared database. All Certification Forms will be placed in a secured file, separate from the normal tenant file.
15. To receive VAWA protections, individuals who want them must notify management of their intent to request protection in writing. The victim can choose to provide either the Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking Form **or** other written evidence to verify that a VAWA crime actually occurred to the management office within 14 business days of the request.

Appendix I

Heritage at Whiting

Section 504 Compliance Policy on Reasonable Accommodation

Heritage at Whiting is an equal opportunity housing provider and does not discriminate against applicants or tenants.

It is the **Heritage at Whiting** policy to provide reasonable accommodations to residents whose disability requires a change or exception to our usual policies and/or procedures. Such accommodations are made to enable the tenant to fully use and enjoy their apartment and all public spaces of **Heritage at Whiting**. This same policy applies to all tenants who request and document/certify the need for requested structural modifications.

The procedure for tenants to request a reasonable accommodation/modification is as follows:

1. The tenant submits a request to the **Heritage at Whiting** administration, describing the reasonable accommodation being requested.
2. If the tenant's disability status and/or need for the requested accommodation is not readily apparent, the tenant will be requested to sign the appropriate third party verification forms that management will mail to the verifier identified by the tenant as a third party professional who is knowledgeable about the tenant's disability related needs.



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3. If verification occurs when the verification form is returned from the third party professional, management will notify the tenant in writing of the determination concerning the request.
4. The tenant may be asked to complete additional forms necessary to implement the accommodation. For example: if the tenant is requesting an assistance or service animal, he/she will need to sign the lease addendum form that describes the responsibilities of maintaining an animal on this property.
5. If the tenant requires the services of a live-in aide, both the tenant and the caregiver are required to sign a live-in aide agreement.
6. If the request for an accommodation is to be denied, or if management has any questions or concerns with the request, a representative of management will meet with the tenant to explain the reason for the concern. Alternate means of meeting the tenant's needs will be explored during this meeting.

A request for a reasonable accommodation and/or structural modification may be denied if the reasonable accommodation places an undue administrative and financial burden on or would result in a fundamental alteration to the program of **Heritage at Whiting**.

Heritage at Whiting
40 Lacey Road, Manchester Township, NJ 08759/844-260-7164

Limited English Proficient Notice to Residents & Applicants

On August 11, 2000, President Clinton signed Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency. This Order was designed to enforce and implement the obligations of the Government under Title VI of the Civil Rights Act of 1964, which “prohibits recipients of federal financial assistance from discriminating based on national origin by, among other things, failing to provide meaningful access to individuals who are Limited English Proficient (LEP).” It also requires that federal agencies meet those same standards.

Heritage at Whiting is surveying all residents and applicants to identify possible language assistance needs. Please let us know if you need translation services by returning this form to the management office.

- _____ No, I do not need the assistance of translating services.
- _____ Yes, I need the assistance of translating services in the following language: _____
- _____ I prefer to have a family member or friend translate for me as needed.
- _____ I prefer to have translating services provided by Heritage at Whiting.

NAME (please print)

ADDRESS

SIGNATURE

_____/_____/_____
DATE



A Summary of Consumer Rights Under the Fair Credit Reporting Act

Para informacion en espanol, visite www.ftc.gov/credit o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W. Washington, D.C. 20552.

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, D.C. 20552.**

You must be told if information in your file has been used against you. Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.

You have the right to know what is in your file. You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:

- a person has taken adverse action against you because of information in your credit report;
- you are the victim of identify theft and place a fraud alert in your file;
- your file contains inaccurate information as a result of fraud;
- you are on public assistance;
- you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.consumerfinance.gov/learnmore for additional information. Consumers can access their annual reports at no charge from www.annualcreditreport.com.

You have the right to ask for a credit score. Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.

You have the right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.consumerfinance.gov/learnmore for an explanation of dispute procedures.

Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information. Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.

Consumer reporting agencies may not report outdated negative information. In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.

Access to your file is limited. A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.

You must give your consent for reports to be provided to employers. A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.consumerfinance.gov/learnmore.

You may limit “prescreened” offers of credit and insurance you get based on information in your credit report. Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 888.414.1120.

You may seek damages from violators. If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.

Identity theft victims and active duty military personnel have additional rights. For more information, visit www.consumerfinance.gov/learnmore

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. Federal enforcers are:

CONTACT:

Consumer Financial Protection Bureau 1700 G Street NW Washington, DC 20552 202-435-700

Federal Trade Commission: Consumer Response Center – FCRA Washington, DC 20580 877-382-4357