



## THE GABLES AT WEST WINDSOR

996 Alexander Road,  
Princeton Junction, NJ 08550  
609-799-8885 | f: 609-799-9455

Dear Applicant:

Enclosed please find the information you requested on affordable housing as well as an application for placement on the waiting list at The Gables at West Winsor, a HUD-assisted rental housing program for seniors in Princeton Junction. 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 and address any outstanding items. An applicant can be rejected for tenancy for failing one or more of the HUD reporting requirements, eligibility criteria and/or tenant screening criteria as outlined in the enclosed Tenant Selection Criteria.**

At the present time our community is fully occupied. However, we are accepting applications for the waiting list. 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. **The Gables at West Winsor has a Smoke-Free Policy and leases executed after February 1, 2013 will be for Smoke-Free units only.**

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.

The waiting list will be reviewed at least once a year by management. Periodically, a letter is sent to all applicants in our database requesting information regarding continued interest in remaining on our waiting list. 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.

**(Please continue reading on second side)**

A Springpoint Affordable Senior Housing Community | [www.SpringpointSL.org](http://www.SpringpointSL.org)

The Presbyterian Home at West Windsor, Inc. D.B.A. The Gables at West Windsor does not discriminate on the basis of handicapped status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.



The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulations implementing Section 504 (24 CFR Part 8 dated June 2, 1988). Coordinator's name: Jim Matthews. Sprint NJ Relay Service 1-800-852-7899\TTY, 1-800-852-7897\Voice or 711.

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 come to our office for an assessment interview.

Should you require additional information, please contact the management office during normal business hours Monday through Friday from 9:00 am to 4:30 pm. The office is closed on weekends and most holidays. The office phone number is 609-799-8885. If you would like to meet with us in person, we suggest you make an appointment to ensure that we have scheduled time to answer your questions.

This property is a U. S. Department of Housing and Urban Development 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 U.S. Department of Housing and Urban Development 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 affordable housing. We hope the information provided is helpful. If you have a disability or need assistance with the application, please contact Ilona Klockner at 609-799-8885.

Sincerely,



Ilona Klockner , Executive Director  
The Gables at West Windsor

9 Enclosures: Pre-application for Waiting List Form; Housing Requirement Questionnaire; Eligibility Requirements; Enterprise Information Verification (EIV) Brochure; Tenant Selection Criteria (6/1/2019); Applying for HUD Housing Assistance HUD-1141; Supplement to Application for Federally Assisted Housing HUD-92006; Limited English Proficient Notice to Residents & Applicants, A Summary of Consumer Rights Under the Fair Credit Reporting Act.

5/18/2015 PRAC WL Letter





## Pre-application/Waiting List Form – The Gables at West Windsor

996 Alexander Road, Princeton Junction, NJ 08550

This property is a U. S. Department of Housing and Urban Development 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 U.S. Department of Housing and Urban Development enforces regulations that ensure its programs are open to all eligible individuals regardless of actual or perceived sexual orientation or gender identity.

If you have a disability and need assistance with the application process, please contact Ilona Klockner at 609-799-8885.

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
_____	_____	/ /	_____	/ /	\$ _____
_____	_____	/ /	_____	/ /	\$ _____

*(Information from applicants who were age 62 or older as of January 31, 2010, and who do not have a SSN, if they were receiving HUD rental assistance at another location on January 31, 2010. This information is needed in order for the owner to verify whether the applicant qualifies for the exemption from disclosing and providing verification of a SSN).*

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 The Gables? \_\_\_\_\_

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 \_\_\_\_\_



## Pre-Application Housing Requirement Questionnaire

***Please read the following regarding this questionnaire:***

- ☐ I choose **NOT** to complete this optional portion of the Pre-application.

If you do not complete the information below, please check the box above. The choice not to complete the information below will not affect the processing of your application for an apartment at the Gables at West Windsor. These questions are included as part of every the Gables at West Windsor's Pre-application and is used to determine the need for special features in a unit.

- ☐ I choose to complete this portion of the Pre-application.

If you choose to complete this form, check the box above indicating your choice to furnish this information on the Pre-application. Provide the information requested below and sign and date in the box below.

### **Applicant Election to Provide Special Needs Information**

Household Head Name _____	SS # _____ - _____ - _____
Print	
Applicant's signature _____	Date ____/____/____
Executive Director _____	Date ____/____/____

### **Information Relative to the Housing Requirements of Applicant's Family**

1. Do you, or any member of your family, have a condition that requires:			
A. unit for hearing impaired?	<input type="checkbox"/>	yes	<input type="checkbox"/> no
B. a barrier free apartment?	<input type="checkbox"/>	yes	<input type="checkbox"/> no
C. unit for vision impaired?	<input type="checkbox"/>	yes	<input type="checkbox"/> no
D. other?	<input type="checkbox"/>	yes	<input type="checkbox"/> no
Please explain: _____			
2. If you have checked any of the above listed categories, please explain your need for accommodation(s): _____			
_____			
3. Name of family member in need of accommodation(s) identified above.			
_____			
Print			
4. Will a live-in aide be needed for assistance?	<input type="checkbox"/>	yes	<input type="checkbox"/> no
5. Provide the information below on who should be contacted for verification of recipients need for the features identified above (e.g. your doctor or other healthcare professional)			
Name _____	Tel # _____	Fax # _____	
Print			
Address _____	_____	_____	_____
Street	City	State	Zip Code

Supplemental and Optional Contact Information for HUD-Assisted Housing Applicants

**SUPPLEMENT TO APPLICATION FOR FEDERALLY ASSISTED HOUSING**

This form is to be provided to each applicant for federally assisted housing

**Instructions: Optional Contact Person or Organization:** You have the right by law to include as part of your application for housing, the name, address, telephone number, and other relevant information of a family member, friend, or social, health, advocacy, or other organization. This contact information is for the purpose of identifying a person or organization that may be able to help in resolving any issues that may arise during your tenancy or to assist in providing any special care or services you may require. **You may update, remove, or change the information you provide on this form at any time.** You are not required to provide this contact information, but if you choose to do so, please include the relevant information on this form.

<b>Applicant Name:</b>	
<b>Mailing Address:</b>	
<b>Telephone No:</b>	<b>Cell Phone No:</b>
<b>Name of Additional Contact Person or Organization:</b>	
<b>Address:</b>	
<b>Telephone No:</b>	<b>Cell Phone No:</b>
<b>E-Mail Address (if applicable):</b>	
<b>Relationship to Applicant:</b>	
<b>Reason for Contact:</b> (Check all that apply) <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Emergency  <input type="checkbox"/> Unable to contact you  <input type="checkbox"/> Termination of rental assistance  <input type="checkbox"/> Eviction from unit  <input type="checkbox"/> Late payment of rent </div> <div style="width: 45%;"> <input type="checkbox"/> Assist with Recertification Process  <input type="checkbox"/> Change in lease terms  <input type="checkbox"/> Change in house rules  <input type="checkbox"/> Other: _____ </div> </div>	
<b>Commitment of Housing Authority or Owner:</b> If you are approved for housing, this information will be kept as part of your tenant file. If issues arise during your tenancy or if you require any services or special care, we may contact the person or organization you listed to assist in resolving the issues or in providing any services or special care to you.	
<b>Confidentiality Statement:</b> The information provided on this form is confidential and will not be disclosed to anyone except as permitted by the applicant or applicable law.	
<b>Legal Notification:</b> Section 644 of the Housing and Community Development Act of 1992 (Public Law 102-550, approved October 28, 1992) requires each applicant for federally assisted housing to be offered the option of providing information regarding an additional contact person or organization. By accepting the applicant's application, the housing provider agrees to comply with the non-discrimination and equal opportunity requirements of 24 CFR section 5.105, including the prohibitions on discrimination in admission to or participation in federally assisted housing programs on the basis of race, color, religion, national origin, sex, disability, and familial status under the Fair Housing Act, and the prohibition on age discrimination under the Age Discrimination Act of 1975.	

☐ Check this box if you choose not to provide the contact information.

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**Signature of Applicant**

**Date**

The information collection requirements contained in this form were submitted to the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). The public reporting burden is estimated at 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Section 644 of the Housing and Community Development Act of 1992 (42 U.S.C. 13604) imposed on HUD the obligation to require housing providers participating in HUD's assisted housing programs to provide any individual or family applying for occupancy in HUD-assisted housing with the option to include in the application for occupancy the name, address, telephone number, and other relevant information of a family member, friend, or person associated with a social, health, advocacy, or similar organization. The objective of providing such information is to facilitate contact by the housing provider with the person or organization identified by the tenant to assist in providing any delivery of services or special care to the tenant and assist with resolving any tenancy issues arising during the tenancy of such tenant. This supplemental application information is to be maintained by the housing provider and maintained as confidential information. Providing the information is basic to the operations of the HUD Assisted-Housing Program and is voluntary. It supports statutory requirements and program and management controls that prevent fraud, waste and mismanagement. In accordance with the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the collection displays a currently valid OMB control number.

**Privacy Statement:** Public Law 102-550, authorizes the Department of Housing and Urban Development (HUD) to collect all the information (except the Social Security Number (SSN)) which will be used by HUD to protect disbursement data from fraudulent actions.

# The Gables at West Windsor

996 Alexander Road, Princeton Junction, NJ 08550/609-799-8885

## 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.

**The Gables at West Windsor** 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  
The Gables at West Windsor.

\_\_\_\_\_  
NAME (please print)

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
DATE



## **The Gables at West Windsor**

The Gables at West Windsor is a senior affordable housing community in West Windsor Township, NJ. The three-story building is located at 996 Alexander Road and is conveniently situated near Routes 571 and 1. We have 84 one-bedroom apartments, each approximately 540 square feet.

Applicants must meet the Eligibility Requirements below to qualify for an apartment. Residents pay 30% of their adjusted income for rent. Included with rent is heat and water.

### **Eligibility Requirements—please refer to the Tenant Selection Plan for details.**

<b>Age:</b>	Head of Household must be 62 or over	
<b>Income:</b>	Not to Exceed*	
	1 person	\$37,050
	2 people:	\$42,350

*\*Income limits are updated by the Department of Housing and Urban Development and are subject to the change. The above limits are effective as of April 1, 2019.*

## **Smoke Free Policy**

The Gables at West Windsor has a Smoke-Free Policy and leases executed after February 1, 2013 will be for Smoke-Free units only.

## **Equal Housing**

This property is a U.S. Department of Housing and Urban Development 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 U.S. Department of Housing and Urban Development enforces regulations that ensure its programs are open to all eligible individuals regardless of actual or perceived sexual orientation or gender identity.





## RENTAL HOUSING INTEGRITY IMPROVEMENT PROJECT

# EIV & You

## ENTERPRISE INCOME VERIFICATION



### What is EIV?

EIV is a web-based computer system containing employment and income information on individuals participating in HUD's rental assistance programs. This information assists HUD in making sure "the right benefits go to the right persons".



### What income information is in EIV and where does it come from?

#### The Social Security Administration:

- Social Security (SS) benefits
- Supplemental Security Income (SSI) benefits
- Dual Entitlement SS benefits

#### The Department of Health and Human Services

#### (HSS) National Directory of New Hires (NDNH):

- Wages
- Unemployment compensation
- New Hire (W-4)

### What is the information in EIV used for?

The EIV system provides the owner and/or manager of the property where you live with your income information and employment history. This information is used to meet HUD's requirement to independently verify your employment and/or income when you recertify for continued rental assistance. Getting the information from the EIV system is more accurate and less time consuming and costly to the owner or manager than contacting your income source directly for verification.

Property owners and managers are able to use the EIV system to determine if you:

- correctly reported your income

They will also be able to determine if you:

- Used a false social security number
- Failed to report or under reported the income of a spouse or other household member
- Receive rental assistance at another property

### Is my consent required to get information about me from EIV?

Yes. When you sign form HUD-9887, Notice and Consent for the Release of Information, and form HUD-9887-A, Applicant's/Tenant's Consent to the Release of Information, you are giving your consent for HUD and the property owner or manager to obtain information about you to verify your employment and/or income and determine your eligibility for HUD rental assistance. Your failure to sign the consent forms may result in the denial of assistance or termination of assisted housing benefits.

### Who has access to the EIV information?

Only you and those parties listed on the consent form HUD-9887 that you must sign have access to the information in EIV pertaining to you.

### What are my responsibilities?

As a tenant in a HUD assisted property, you must certify that information provided on an application for housing assistance and the form used to certify and recertify your assistance (form HUD-50059) is accurate and honest. This is also described in the *Tenants Rights & Responsibilities* brochure that your property owner or manager is required to give to you every year.

**What YOU Should Know**  
**if You are Applying for or are Receiving**  
**Rental Assistance through the Department of**  
**Housing and Urban Development (HUD)**



### **Penalties for providing false information**

Providing false information is fraud. Penalties for those who commit fraud could include eviction, repayment of overpaid assistance received, fines up to \$10,000, imprisonment for up to 5 years, prohibition from receiving any future rental assistance and/or state and local government penalties.

### **Protect yourself, follow HUD reporting requirements**

When completing applications and recertifications, you must include all sources of income you or any member of your household receives. Some sources include:

- Income from wages
- Welfare payments
- Unemployment benefits
- Social Security (SS) or Supplemental Security Income (SSI) benefits
- Veteran benefits
- Pensions, retirement, etc.
- Income from assets
- Monies received on behalf of a child such as:
  - *Child support*
  - *AFDC payments*
  - *Social security for children, etc.*

If you have any questions on whether money received should be counted as income, ask your property owner or manager.

When changes occur in your household income or family composition, immediately contact your property owner or manager to determine if this will affect your rental assistance.

Your property owner or manager is required to provide you with a copy of the fact sheet "How Your Rent Is Determined" which includes a listing of what is included or excluded from income.



### **What if I disagree with the EIV information?**

If you do not agree with the employment and/or income information in EIV, you must tell your property owner or manager. Your property owner or manager will contact the income source directly to obtain verification of the employment and/or income you disagree with. Once the property owner or manager receives the information from the income source, you will be notified in writing of the results.

### **What if I did not report income previously and it is now being reported in EIV?**

If the EIV report discloses income from a prior period that you did not report, you have two options: 1) you can agree with the EIV report if it is correct, or 2) you can dispute the report if you believe it is incorrect. The property owner or manager will then conduct a written third party verification with the reporting source of income. If the source confirms this income is accurate, you will be required to repay any overpaid rental assistance as far back as five (5) years and you may be subject to penalties if it is determined that you deliberately tried to conceal your income.

### **What if the information in EIV is not about me?**

EIV has the capability to uncover cases of potential identity theft; someone could be using your social security number. If this is discovered, you must notify the Social Security Administration by calling them toll-free at 1-800-772-1213. Further information on identity theft is available on the Social Security Administration website at: <http://www.ssa.gov/pubs/10064.html>.

### **Who do I contact if my income or rental assistance is not being calculated correctly?**

First, contact your property owner or manager for an explanation.

If you need further assistance, you may contact the contract administrator for the property you live in, and if it is not resolved to your satisfaction, you may contact HUD. For help locating the HUD office nearest you, which can also provide you contact information for the contract administrator, please call the Multifamily Housing Clearinghouse at: 1-800-685-8470.



### **Where can I obtain more information on EIV and the income verification process?**

Your property owner or manager can provide you with additional information on EIV and the income verification process. They can also refer you to the appropriate contract administrator or your local HUD office for additional information.

If you have access to a computer, you can read more about EIV and the income verification process on HUD's Multifamily EIV homepage at: [www.hud.gov/offices/hsg/mfh/mhiip/eiv/eivhome.cfm](http://www.hud.gov/offices/hsg/mfh/mhiip/eiv/eivhome.cfm).



JULY 2009

# **THE GABLES AT WEST WINDSOR**

## **TENANT SELECTION PLAN**

**JUNE 1, 2019**

*Princeton Junction, New Jersey*

*Section 202 / PRAC Program*



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## 1. PROJECT DESCRIPTION & MISSION

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**Springpoint Senior Living** is a New Jersey based not-for-profit corporation. It owns and operates **Presbyterian Home at West Windsor (d.b.a. The Gables at West Windsor)**, an apartment housing facility consisting of 84 units in Princeton Junction, New Jersey. The purpose of this equal opportunity housing facility is to provide housing for very low income elderly individuals and families through the **Department of Housing and Urban Development's Section 202 and PRAC programs**.

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## 2. GENERAL INFORMATION

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1. **FAIR HOUSING:** Residency at **The Gables at West Windsor** is open to all qualified eligible elderly 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 open to all qualified eligible persons regardless of actual or perceived sexual orientation, gender identity, and marital status and in accordance with any State recognized protected classes. **Section 504 of the Rehabilitation Act of 1973** prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance from **HUD**. If requested, all applicants and tenants will be provided translation assistance if they are not proficient in English.
2. **REASONABLE ACCOMMODATION:** In compliance with the Fair Housing Act and **Section 504 of the Rehabilitation Act of 1973**, **The Gables at West Windsor** will make “reasonable accommodations” including reasonable modifications for individuals whose disabilities so require. This includes the application process and residency period. For more information on reasonable accommodations please refer to managements **Section 504 Compliance Policy**, Appendix 1) or the site’s Section 504 Coordinator.
3. **ACCESSIBLE UNITS:** Because some of the units at **The Gables at West Windsor** 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 **The Gables at West Windsor**, 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. **The Gables at West Windsor** does not provide, and does not have the authority to provide, any personal services, medical care or supervisory services. **The Gables at West Windsor** does not provide any assistance with personal activities of daily living. Should such assistance be needed by a resident, upon request



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 applicants must comply with any applicable admissions requirements of **HUD and with the screening requirements explained in The Gables at West Windsor’s Tenant Selection Policy.**
6. **INCOME LIMITS:** The local **Section 8 Income Limits** apply to **The Gables at West Windsor** and thus applicants must meet specific income restrictions to be eligible for tenancy at **The Gables at West Windsor**. This facility will house extremely low income and very low income elderly individuals and families, per program requirements. HUD publishes and releases income limits annually.
7. **The Gables at West Windsor** reserves the right to alter **The Gables at West Windsor** Tenant Selection Plan at any time. In such an event, management will provide applicants and residents with ample notice.
8. **The Gables at West Windsor** 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 is 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.

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### 3. SMOKE-FREE FACILITY

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**SMOKE-FREE:** **The Gables at West Windsor** 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.

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### 4. ADMISSIONS

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**APPLICATION PROCESS:** Applicants will be considered on a first-received, first-reviewed basis, based upon the date that the completed and signed application is received and date and time stamped by management of **The Gables at West Windsor**. Admission to **The Gables at West Windsor** is limited



to those applicants whose income meets the "**Section 8**" **Income Limits** for this area. **The Gables at West Windsor** admits persons who meet HUD's extremely low income and very low income levels.

**ELIGIBILITY:** To live at **The Gables at West Windsor** a resident must be:

- An eligible elderly individual or family (See **Definitions**).

**APARTMENT ASSIGNMENTS:** **The Gables at West Windsor** will first assign apartments to in-place tenants who have a demonstrated need for a change in housing before offering units to an applicant on the Waiting List. This will be done in chronological order, based on the date of the tenant notification to the management of the new "Need." All current, in place tenants whose needs have changed will be housed and/or transferred before anyone on the Waiting List is housed.

**INDEPENDENT STUDENTS:** HUD published a final rule implementing a new law that restricts individuals who are seeking **Section 8** assistance and are enrolled at an institution of higher education, are under the age of 24, not a veteran, unmarried, and do not have a dependent child from receiving **Section 8** assistance. Such individuals are ineligible unless the student is determined independent from his or her parents upon review and verification of such status or the student is determined independent from his or her parents upon review and the parents are eligible for **Section 8** assistance. An eligible student must not be living with his or her parents who are receiving **Section 8** assistance.

The financial assistance of the student in excess of tuition will be included in annual income when determining the student's eligibility for **Section 8** assistance, unless the student is over the age of 23 with dependent children and the determination of rent is made in accordance with the requirements of the **Section 8** program. The financial assistance of a student residing with his or her parents would continue to be excluded from annual income. Management will ensure at each annual recertification that an independent student remains eligible to continue to receive **Section 8** assistance.

During the application process, management will appropriately screen applicants and households for eligibility under this final rule. An applicant who is a student and who does not meet the income eligibility requirements or jointly, do not meet the income eligibility requirements for **Section 8** assistance are not eligible for **Section 8** assistance and will be prohibited from participating in the program. A student under the age of 24 who is not a veteran, unmarried, does not have a dependent child and who is currently receiving **Section 8** assistance, if at recertification is determined to be ineligible, will have his/her assistance terminated.

**\*\*Students with disabilities receiving Section 8 as of November 30, 2005 are exempt from the independent student restrictions on receiving Section 8 rental assistance.**





## 5. PROCEDURES FOR APPLYING FOR HOUSING

1. **APPLICATION PROCEDURE:** All persons/families interested in applying for housing at **The Gables at West Windsor** must meet the following requirements to be "considered for housing". Applications may be picked up at the Management Office located at **The Gables at West Windsor, 996 Alexander Road, Princeton Junction, New Jersey 08550** between the hours of 9 AM and 4:30 PM, Monday through Friday. Applications can be requested in writing at the above address or by telephoning (609) 799-8885 or **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.

### **The Applicant(s) must:**

- a) List all family members who will reside in the unit.
  - b) Meet certain criminal history standards. A criminal history and sex offender registration report will be run on the applicant(s) by the management or contracted criminal report companies. This criminal report will be run on all adult household members 18 years of age or older applying to live at **The Gables at West Windsor and the criminal report will be applied to The Gables at West Windsor criminal history policy**. Applicant(s) must not have an eviction for drug related criminal activity, or display a pattern of abuse of alcohol that would interfere with the health, safety or right to a peaceful enjoyment of the premises by other residents, or who are subject to a state lifetime sex offender registration program. No family member can have a conviction or adjudication other than acquittal for any sexual offense. **The Gables at West Windsor** will also use the Dru Sjodin National Sex Offender website at [www.nsopw.gov](http://www.nsopw.gov) to confirm that applicants and federal housing assistance recipients are not lifetime registered sex offenders. The check will be carried out with respect to New Jersey and with all States where the applicant and members of the applicant's household are known to have resided as adults. *(Please refer to Screening for Sex Offender Registration)*
  - c) Demonstrate ability to meet financial obligations in a satisfactory manner, and on time.
  - d) List monthly obligations, including current utilities.
  - e) Provide good/acceptable references from all landlords, both current and previous, listed on the application and in credit bureau files.
  - f) Demonstrate that the applicant has the ability to fulfill all the lease requirements (with or without care assistance) where applicable.
  - g) Maintain satisfactory housekeeping practices that will not jeopardize the health, security or welfare of other residents. This is determined through the landlord/rental verification.
  - h) **Provide proof of social security numbers for every member of the family.** *(Please refer to Proof of Social Security Numbers)*
2. **VERIFICATION:** All of the above information will be verified in accordance with **HUD Regulations and Requirements**, as stated in **HUD Handbook 4350.3** (including all revisions). 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. **HUD** 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 **The Gables at West Windsor** 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 requests for reasonable accommodation.
4. **BED BUGS:** **The Gables at West Windsor** 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 **The Gables at West Windsor** of this prior to being offered an apartment. **Please note: This will not prevent the applicant from getting an apartment, however, The Gables at West Windsor 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 The Gables at West Windsor 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 bedbugs will also be considered a violation of their lease agreement.

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## 6. INTERVIEWS

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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 **Section 202/PRAC Program** and if so, **the applicant will be placed on the Waiting List.** This in no way means that an applicant will be offered a unit. 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 **The Gables at West Windsor** will cause the removal of the application from the Waiting List.
2. **A FORMAL INTERVIEW:** As an applicant's name approaches the top of the Waiting List, a formal interview will be scheduled. At the time the applicant is interviewed, all items on the application will be discussed and confirmed, and verification forms will be signed by the applicant authorizing management to verify all of these issues/items. Until all items are verified, eligibility cannot be determined, nor a unit offered. Management must make an attempt to verify all factors with "third party" written verification, as per **HUD Regulations and Procedures.**



3. **ALTERNATE VERIFICATION:** Within 14 days after attempting third party verification, and no response is received, management will use “Review of Documents” to verify items/issues in accordance with the **HUD Handbook 4350.3** (including all revisions). (See **The Gables at West Windsor** EIV Policies & Procedures)

## 7. WAITING LIST

1. **WAITING LIST PLACEMENT:** Any applicant who appears to qualify after **The Gables at West Windsor** 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 **The Gables at West Windsor** 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 **The Gables at West Windsor** in a timely fashion.
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.
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 **The Gables at West Windsor** 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.

5. **WAITING LIST STATUS:** Management will advise potential applicants of the closure of the Waiting List and refusal to take additional applications. The Waiting List may be closed to any further applicants, when the average number of applicants exceeds two and one half times the



number of units. 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 HUD's **Affirmative Fair Housing Marketing Plan**.

6. **ELIGIBILITY WHILE ON THE WAITING LIST:** Only eligible applicants may remain on the Waiting List. If in the unfortunate event, the applying household head, co-head or spouse passes away or otherwise is removed from the household during the time while waiting on the list, the remaining applying household member(s), if any, must meet the requirements of the program/property type to remain on the Waiting List. If the remaining member(s) is not eligible, the application will be removed from the Waiting List and not processed.
7. **DEFERRAL OF PROCESSING AN APPLICATION:** Once an applicant's name nears the top of the Waiting List, it is the applicant's responsibility to adhere to the application process in the required time frame. Any delay will result in the removal of their application from the Waiting List. An applicant can only defer the processing of his/her application for up to six (6) months on the basis of a verifiable medical reason. The applicant must contact management in writing during those six months if the medical condition persists. Failure to do so will indicate that the applicant is no longer interested in housing at **The Gables at West Windsor** and will result in the removal of his/her name from the Waiting List without further notice.
8. **EXCLUSION OF CULPABLE HOUSEHOLD MEMBERS:** **The Gables at West Windsor** 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.
9. **REFUSAL OF AN OFFERED APARTMENT:** If an applicant on the Waiting List is offered an apartment and refuses the offered apartment for other than a verifiable medically-related reason, the applicant's name will be removed from the waiting list or moved to the bottom of the waiting list. 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.
10. **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 the applicant is receiving the same program subsidy or assistance, the applicant is given up to thirty (30) days to sign the lease 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.



- 11. 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 address the needs of current tenants prior to applicants 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.
- 12. REMOVAL OF NAMES FROM THE WAITING LIST:** Applicant names will be removed from the Waiting List for any of the following reasons:
- a) The applicant no longer meets the eligibility requirements for the property or program
  - b) The applicant fails to respond to a written notice within the required time frame
  - c) The applicant does not comply to the verification process in a timely manner
  - d) The applicant does not provide the required documentation in a timely manner
  - e) The applicant fails to sign any and all documents in a timely way, up to and including the lease
  - f) The applicant is offered an apartment for the second time and rejects the second offer for other than a verifiable medically-related reason
  - g) The applicant seeks deferral in the processing of the application for any other reason other than a verifiable medical reason
  - h) Mail sent to the applicant's address is returned as undeliverable, unclaimed or not forwarded
  - i) The applicant requests removal in writing from the Waiting List.
  - j) 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.

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## 8. ENTERPRISE INCOME VERIFICATION SYSTEM (EIV)

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- 1. APPLICANTS:** HUD provides **The Gables at West Windsor** with information about an applicant's current status as a HUD housing assistance recipient. **The Gables at West Windsor** will use the Enterprise Income Verification System (EIV) Existing Tenant Search to determine if any applying household members are currently receiving **HUD** assistance elsewhere, including subsidy through the Multifamily Housing division or Public & Indian Housing (PIH). Management will use this report at the time they are processing an applicant for admission. Management will discuss with the applicant if the report identifies that the applicant or a member of the applicant's household is residing at another location, giving the applicant the opportunity to explain any circumstances relative to his/her being assisted at another location. Management will follow up with the respective Public Housing Authority (PHA) or owner to confirm the individual's program participation status before admission, if necessary, depending on the outcome of the discussion with the applicant. Furthermore, management will retain the search results with the application along with any documentation obtained as a result of contacts with the applicant and the PHA and/or owner at the other location.



If any applying household members fail to fully and accurately disclose rental history, the application may be denied based on misrepresentation of information.

2. **TENANTS: The Gables at West Windsor** uses the EIV system to verify employment and income information of tenants receiving HUD rental assistance. Tenants are required to give consent to **The Gables at West Windsor** for the release of information by signing the HUD forms 9887 and 9887A each year.

The Income Reports in **Enterprise Income Verification (EIV)** contain the social security numbers (SSNs), full dates of birth, first and last names, and physical address of tenant families. This is all sensitive information that **must not** be handled carelessly. Therefore, **The Gables at West Windsor** realizes that it must be careful not to share this information with anyone who is not authorized to have it. **The Gables at West Windsor** will manage information obtained from EIV and other sources in compliance with the Privacy Act of 1974. EIV data will be disclosed only to those entities that have rights to review such information. These entities include service bureaus, contract administrators, HUD staff, HUD Office of Inspector General (OIG) for investigative purposes, and the individual to whom the record pertains.

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## 9. REJECTION PROCEDURES

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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 appeal 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 appeal 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; maximum of two persons per bedroom.
- b) Minimum of one person is allowed for a one-bedroom unit; maximum of two persons are allowed for a one-bedroom unit.

### 2. WHEN ASSIGNING BEDROOMS:

- a) Every family member listed on 50059 or application is counted.
- b) An unborn child must be counted.
- c) Live-in attendants and foster children and foster adults are counted.
- d) Children in the process of being adopted by an adult family member are counted.
- e) Children in joint custody arrangements who are present in the household 50% or more of the time must be counted.
- f) Children away at school, who live with the family when school recesses, may be counted. Management will not count children who are away at school and who have established residency at another address or location as evidenced by a lease agreement or other proof.
- g) Minimum of one person per bedroom, maximum of two persons per bedroom.

## 11. ACCESSIBLE UNITS

1. **ACCESSIBLE UNITS:** Because five (5) of the units at **The Gables at West Windsor** have been architecturally altered for accessibility for persons with mobility impaired disabilities, to obtain a priority for these units someone in the family must qualify as “needing” the architecturally altered features to apply for or live in these units. This need must be verified with a medical practitioner. Units that have been altered in any way for a disable person will be rented whenever possible to a family or individual needing that specific unit type, or the architectural features present in the unit.



2. When there is a vacant unit with special accessible design features and a resident needing a transfer or an applicant requiring these features cannot be found, only then can the unit be offered to an applicant(s) who does not require the features of the unit. The unit can be offered to this applicant(s) only after the applicant acknowledges in lease addendum that they will move, within thirty (30) days after notice by management that the accessible unit is needed by a disabled resident or applicant and a standard unit is available for the resident to transfer.

## 12. 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, (this will be verified with a medical practitioner using **The Gables at West Windsor** form);
  - b) Transfer from apartment **due to renovation** of previous apartment.
  - c) A **household** that is living in a mobility-impaired apartment and **does not require the features** of that apartment.
  - d) VAWA Transfer -- Request an **emergency** transfer if the tenant reasonably believes that they are threatened with imminent harm from further violence if the tenant remains in the same unit.

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 refuses after being offered twice a unit to transfer, 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 disability related verified need**, 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.

## 13. 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 62 years of age or older;
- b) The surviving member or members of a family described in paragraph (1) living in a unit assisted under subpart E of this part (Section 202 loans) with the now deceased member of the family at the time of his or her death;
- c) A single person who is 62 years of age or older; or



- d) Two or more elderly persons living together or one or more such persons living with another person who is determined by HUD, based upon a licensed physician's certificate provided by the family, to be essential to their care or well-being.

## **2. PERSON WITH DISABILITIES:**

- a) A person with a physical, mental or emotional impairment that:
  - 1) Is expected to be of long-continued and indefinite duration;
  - 2) Substantially impedes the person's ability to live independently; and
  - 3) Is such that the person's ability to live independently could be improved by more suitable housing conditions.

## **3. INDEPENDENT STUDENT ELIGIBILITY:**

Determining the eligibility of students who are head or co-head of a household:

- a) The individual must be of legal contract age under state law;
- b) 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 meets the U.S. Department of Education's definition of an independent student;
- c) The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations;
- d) The individual must obtain a certification of the amount of financial assistance that will be provided by parents, guardians or others signed by the individual providing the support. This certification is required even if no assistance will be provided. The financial assistance provided by persons not living in the unit is part of annual income that must be verified to determine eligibility and at annual recertification to determine rent.
- e) The verification process for vulnerable youth populations: (1) the tax return requirement only applies to providing the student's tax returns and not that of the student's parents, and (2) a written clarification is not required by the student's parent.

### **Independent Student**

To be classified as an independent student for Title IV aid, a student must meet one or more of the following criteria:

- a) Be at least 24 years old by December 31 of the award year for which aid is sought;
- b) Be an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
- c) The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's state of legal residence;
- d) Be an unaccompanied youth who are homeless or at risk of homelessness
- e) Be a veteran of the U.S. Armed Forces;
- f) Have legal dependents other than a spouse (for example, dependent children or an elderly dependent parent);
- g) Be a graduate or professional student;
- h) Is not living with his or her parents who are receiving Section 8 assistance, or
- i) Be married.



No assistance shall be provided under Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who:

- a) Is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 102);
- b) Is under 24 years of age;
- c) Is not a veteran;
- d) Is unmarried;
- e) Does not have a dependent child;
- f) Is not living with his/her parents who are receiving Section 8 assistance; and
- h) Is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E) and was not receiving assistance under such Section 8 as of November 30, 2005.

**\*\*Students with disabilities receiving Section 8 as of November 30, 2005 are exempt from the Independent Student restrictions on receiving Section 8 rental assistance.**

For purposes of determining the eligibility of a person to receive assistance under Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002), shall be considered income to that individual, except for person over the age of 23 with dependent children.

Please refer to Appendix A of FR-5036-N-02 for further definitions pertaining to Independent Students and applicable eligibility.

#### **4. LIVE-IN CARE ATTENDANT (AIDE):**

A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities, and who:

- 1. Is determined to be essential to the care and well-being of the persons;
- 2. Is not obligated for the financial support of the persons; and
- 3) Would not be living in the unit except to provide the necessary supportive service. [24 CFR 5.403]

A relative but not a spouse may be a **Live-In Aide** but must meet all of the above requirements, and sign a statement to that effect, **The Gables at West Windsor** will verify the need of the resident for a full time live-in aide with a physician or recognized health care professional. The sole purpose of a **Live-In Aide** is to provide the tenant with support services and will not qualify for continued occupancy in the event the tenant vacates the unit. **The Gables at West Windsor** may re-verify the need for a **Live-In Aide** when necessary.

The screening of **Live-In Aides** at initial occupancy and the screening of persons or **Live-In Aides** to be added to the tenant household after initial occupancy involve identical screening activities as



applicants. **Live-In Aides** must be screened for drug abuse and other criminal activity, including lifetime registration as a sex offender, by applying the same criteria established for screening other applicants. Owner-established screening criteria must also be applied to **Live-In Attendants**. **Live-In Aides** are required to disclose and provide verification of their Social Security Number.

To qualify as a **Live-in Aide**:

(a) The Owner must verify the need for the need for the **Live-In Aide**. Verification should state that the **Live-In Aide** is needed to provide the necessary supportive services essential to the care and well-being of the person and must be obtained from the person's physician, psychiatrist or other medical practitioner or health care provider. Management will approve a **Live-In Aide** if needed as a reasonable accommodation to make the program accessible to and usable by the disabled person.

(b) Expenses for services provided by the **Live-In Aide**, such as nursing services (dispensing of medications or providing other medical needs) and personal care (such as bathing or dressing), that are out-of-pocket expenses for the tenant and where the tenant is not reimbursed for the expenses from other sources, are considered as eligible medical expenses. Homemaker services such as housekeeping and meal preparation are not eligible medical expenses. (See 4350.3 Chapter 5 and Exhibit 5-3 for more information on medical expenses.)

(c) Qualifies for occupancy only as long as the individual needing supportive services requires the aide's services and remains a tenant. The **Live-In Aide** will not qualify for continued occupancy as a remaining family member.

(d) Income of a **Live-In Aide** is excluded from annual income (See Exhibit 5-1 of the **HUD Handbook 4350.3**.)

(e) Must meet the applicable screening criteria.

## 5. 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].

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]

## 6. VERY LOW INCOME FAMILY:

A very low-income family is a family whose annual income does not exceed 50 percent of the area median income, as determined by HUD, with adjustments for smaller and larger families. [24 CFR 5.603]

## 7. EXTREMELY LOW INCOME FAMILY:



A family whose annual income does not exceed 30 percent of the area median income, as determined by **HUD**, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes. [24 CFR 5.603]

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## 14. PROOF OF SOCIAL SECURITY NUMBERS

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Applicants are requested to provide documentation of SSNs in order to be eligible for subsidy at **The Gables at West Windsor**. 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. **HUD** regulation 24 CFR 5.216 requires that assistance applicants and tenants, excluding tenants age 62 and older as of January 31, 2010, whose initial determination of eligibility was begun prior to January 31, 2010, and those individuals who do not contend eligible immigration status, to disclose and provide verification of the complete and accurate SSN assigned to them.

### **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





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.

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## 15. SCREENING\REJECTION CRITERIA

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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. The screening of live-in aides at initial occupancy and the screening of persons or live-in aides to be added to the tenant household after initial occupancy involve similar screening activities. Both live-in aides and new additions to the tenant household will be screened for drug abuse and other criminal activity. 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 2<sup>nd</sup> 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;
- 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 on Drug-Related Activity and the Criminal Screening Criteria*);
- l) The applicant cannot show (by HUD formula) a need for the subsidy assistance, where applicable, or the household income exceeds the **HUD** limits;
- m) The applicant is unable to provide proof of social security numbers as required by HUD and management policy.

## 16. 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.

## 17. RENTAL, CREDIT & CRIMINAL SCREENING CRITERIA

### 1. Rental History:

- A. 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 acceptance.
- ii. A scored report with a rental score of 59 and below is a rejection.
- iii. 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. 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> degree homicide (i.e.: murder)
- 2. Voluntary manslaughter;



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 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, **The Gables at West Windsor** 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 all 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, **The Gables at West Windsor** 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, **The Gables at West Windsor** must deny admission to the family.
- C. During the annual review (re-certification) 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 and termination of assistance for the household member.

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## 18. VICTIMS OF DOMESTIC VIOLENCE

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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 an **emergency** 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.
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

### **The Gables at West Windsor Section 504 Compliance Policy on Reasonable Accommodation**

**The Gables at West Windsor** is an equal opportunity housing provider and does not discriminate against applicants or tenants.

It is **The Gables at West Windsor** 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 **The Gables at West Windsor**. 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 Gables at West Windsor** 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.
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 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.
7. Depending upon the circumstances of the transfer, a tenant may be obligated to pay all costs associated with the move. However, if a tenant is transferred as a reasonable accommodation due to a household members disability, then the owner must pay the costs associated with the transfer unless doing so would be an undue financial and administrative burden.

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 **The Gables at West Windsor**.

## **Appendix II**

### **The Gables at West Windsor Presidential Disaster Declaration**

A Presidential Declared Disaster (PDD) is defined as a “major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. 5121 et seq.). FEMA recommends that the President declare a major disaster or emergency and coordinates all relief efforts”.

All HUD-related properties in a PDD area may not be impacted. The number of properties that require special disaster assistance due to a PDD will be in addition to normal servicing of the regular portfolio.



# APPLYING FOR HUD HOUSING ASSISTANCE?

**THINK ABOUT THIS...  
IS FRAUD WORTH IT?**

## Do You Realize...

If you commit fraud to obtain assisted housing from HUD, you could be:

- **Evicted** from your apartment or house.
- **Required to repay** all overpaid rental assistance you received.
- **Fined** up to \$10,000.
- **Imprisoned** for up to five years.
- **Prohibited** from receiving future assistance.
- **Subject** to State and local government penalties.

## Do You Know...

You are committing fraud if you sign a form knowing that you provided false or misleading information.

The information you provide on housing assistance application and recertification forms will be checked. The local housing agency, HUD, or the Office of Inspector General will check the income and asset information you provide with other Federal, State, or local governments and with private agencies. Certifying false information is fraud.

## So Be Careful!

When you fill out your application and yearly recertification for assisted housing from HUD make sure your answers to the questions are accurate and honest. You must include:

All sources of income and changes in income you or any members of your household receive, such as wages, welfare payments, social security and veterans' benefits, pensions, retirement, etc.

Any money you receive on behalf of your children, such as child support, AFDC payments, social security for children, etc.

Any increase in income, such as wages from a new job or an expected pay raise or bonus.

All assets, such as bank accounts, savings bonds, certificates of deposit, stocks, real estate, etc., that are owned by you or any member of your household.

All income from assets, such as interest from savings and checking accounts, stock dividends, etc.

Any business or asset (your home) that you sold in the last two years at less than full value.

The names of everyone, adults or children, relatives and non-relatives, who are living with you and make up your household.

**(Important Notice for Hurricane Katrina and Hurricane Rita Evacuees:** HUD's reporting requirements may be temporarily waived or suspended because of your circumstances. Contact the local housing agency before you complete the housing assistance application.)

## Ask Questions

If you don't understand something on the application or recertification forms, always ask questions. It's better to be safe than sorry.

## Watch Out for Housing Assistance Scams!

- Don't pay money to have someone fill out housing assistance application and recertification forms for you.
- Don't pay money to move up on a waiting list.
- Don't pay for anything that is not covered by your lease.
- Get a receipt for any money you pay.
- Get a written explanation if you are required to pay for anything other than rent (maintenance or utility charges).

## Report Fraud

If you know of anyone who provided false information on a HUD housing assistance application or recertification or if anyone tells you to provide false information, report that person to the HUD Office of Inspector General Hotline. You can call the Hotline toll-free Monday through Friday, from 10:00 a.m. to 4:30 p.m., Eastern Time, at 1-800-347-3735. You can fax information to (202) 708-4829 or e-mail it to [Hotline@hudoig.gov](mailto:Hotline@hudoig.gov). You can write the Hotline at:



HUD OIG Hotline, GFI  
451 7<sup>th</sup> Street, SW  
Washington, DC 20410

December 2005

## ***A Summary of Consumer Rights Under the Fair Credit Reporting Act***

*Para informacion en espanol, visite [www.ftc.gov/credit](http://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](http://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 identity 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](http://www.consumerfinance.gov/learnmore) for additional information. Consumers can access their annual reports at no charge from [www.annualcreditreport.com](http://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](http://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](http://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](http://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



# THE GABLES AT WEST WINDSOR APARTMENT LAYOUT

## ONE BEDROOM

Note: All dimensions are approximate.

