



***Affordable Rental Lottery
For 2230 Main St. Apartments***

Information and Application Packet

February 2022

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2230 Main St. Apartments, Tewksbury

AFIRMATIVE FAIR HOUSING MARKETING AND TENANT SELECTION PLAN

INTRODUCTION

2230 Main St Realty Trust and the Tewksbury Housing Authority are working together to provide this affordable rental opportunity under the State's Local Action Units program (LAU). Local Action Units (LAU) reflect program component that gives communities the opportunity to include housing units on the State's Subsidized Housing Inventory (SHI) that were built without a Comprehensive Permit but which meet LIP criteria and are suitable for inclusion in LIP. The project consists of a newly constructed 34 unit, 4 story building that sits on 1.68 acres of land. In this project, nine (9) of the units will be low income rental units available to families with incomes at or below 80% of the area median income. Five of the units will consist of two (2) bedrooms and one (1) bath and four of the units will consist of one (1) bedroom and one (1) bath.

The rent of these units will be as follows:

1br – 700 sq. ft. unit \$1599.00

2br – 1,000 sq. ft. unit \$1799.00

These rents include water and sewer only.

Tenants are responsible for paying their own utilities and should expect to pay approximately \$92.00 per month for a one bedroom and \$124 per month for a two bedroom for utilities.

This is not subsidized housing. The rent is set annually using a calculation that determines the "affordable" rent, which is based on the Area Median Incomes for the Lowell HMFA, therefore the rent is subject to change. Tenants are responsible for paying the full amount of rent each month. Rents are not based on each applicant's income (unless they have a Section 8 voucher already or similar).

INITIAL MARKETING

The initial marketing for the units will be carried out by 2230 Main St. Realty Trust also known as the Owner and by the Tewksbury Housing Authority [known as the "Agent"]. Both units will be available on an equal opportunity basis. In carrying out this Affirmative Fair Housing Marketing Plan, the marketing agents will not discriminate against applicants on the basis of race, creed, color, religion, national or ethnic origin, citizenship, ancestry, class, marital status, disability, military/veteran status, presence of children, source of income, age, gender, sexual orientation, or any other basis prohibited by local, state, or federal law. The units will be advertised in a way that will provide ample opportunities for people from diverse backgrounds with a variety of

language skills to learn about and apply for the rental opportunities.

- Every person has the right to submit an application for housing at the 2230 Main St. Apartments. Marketing for the 2230 Main St. Apartments will begin in spring, 2018. The marketing program, which is detailed in Section 3 of the Management Plan, is fully integrated with and supportive of the resident selection process. Management will supply oral interpretation should an applicant or resident have difficulty understanding material because of limited English Proficiency. This service will be at no cost to the applicant or resident.

Income verification for all low-income units will be provided by the THA unless and until another qualified party is contracted to provide income qualification.

The nine low income units will be marketed in the following ways:

The owner will place a sign on the property notifying interested people that the property is available to income-eligible households and Section 8 voucher holders, and providing a contact phone number.

- The THA will place a notice on the bulletin board in the THA office during the marketing period notifying interested people that the property is available to income-eligible households and Section 8 voucher holders, and providing a contact phone number.
- The Agent will distribute a flyer in the neighborhood explaining the project, the timetable and informing neighbors that units will be available to income-eligible households and Section 8 voucher holders. Information will be distributed to locations that are open in the evening such as the local library and Town Hall and will be available at the Tewksbury Housing Authority.
 - The number of units, their size, amenities, number of bedrooms and baths.
 - Monthly rent
 - Income eligibility guidelines
 - Description of application process
 - information at any community meetings the Agent hosts about the Project
- These units will be marketed to those households who have already been issued Section 8 vouchers by the THA, as well as anyone currently on any of the THA's waiting lists and to the general public. The THA will send out informational flyers to these households and will ask interested households to contact the THA to fill out an application.

- The THA will send out informational flyers to households on the THA's waiting list for other properties in its portfolio.
- 2230 Main St. Realty Trust will take out ads 2 times within 60 days beginning 3 months before the date of project occupancy in the newspapers listed below:

Lowell Sun	Local Newspaper
Tewksbury Advocate	Local Newspaper
El Mundo	Hispanic Newspaper
Baystate Banner	African-American Newspaper
Sampan	Asian-American Newspaper
Tewksbury Patch	Online Newspaper

- The Agent will distribute flyers to local churches and religious/civic organizations that have largely minority congregations.
- The property management team will coordinate and pursue the outreach to the following organizations serving diverse populations: The Agent will make personal contacts with key individuals in these organizations to build up an awareness of the availability of the 2230 Main St. Apartments.

Tewksbury Housing Authority
Saunders Circle
Tewksbury, Massachusetts 01876
978-851-7392

Veteran's Services
Town Hall
1009 Main Street
Tewksbury, MA 01876
978-640-4485

Northeast Independent Living
Program
200 Ballard Road
Lawrence, Massachusetts 01843

Merrimack Valley YMCA
165 Haverhill Street
Andover, MA 01810
978-685-3541

Tewksbury Senior Center
175 Chandler Street
Tewksbury, MA 01876
978-640-4480

Middlesex Shelter Inc.
189 Middlesex St.
Lowell, MA 01852

First Baptist Church of Tewksbury
1500 Andover St.
Tewksbury, MA 01876

St. Williams Church
1351 Main St.
Tewksbury, MA 01876

Tewksbury Congregational Church
10 East St.
Tewksbury, MA 01876

Tewksbury United Methodist Church
2335 Main St.
Tewksbury, MA 01876

CTI Inc.
155 Merrimack St.
Lowell, MA 01852

Tewksbury Public Schools
139 Pleasant St.
Tewksbury, MA 01876

Fair Housing Center of Greater Boston
100 Terrace St., Suite B
Boston, MA 02120

- The Agent shall list the affordable and/or accessible rental units with the Massachusetts Accessible Housing Registry whenever they become available (including upon turnover) at www.chapa.org.
- The Agent shall list the affordable rental units with the CHAPA lottery website at www.chapa.org.
- The Agent will list the units on the Boston Fair Housing Commission "Metro List".

Interested people will be asked to fill out applications. No discriminatory language will be included in the applications. The application will state that persons with disabilities will receive reasonable accommodations. Applications will be accepted for a period of approximately two months. At the application deadline, the THA will review the applications and make a preliminary determination of eligibility based on the applicant's self-certification of income, household size and priority status. All flyers and advertisements will include the Equal Opportunity logo and slogan.

The application will be in English. If an applicant has difficulty understanding the application process due to limited English Proficiency (LEP), an applicant may request an oral interpretation of the application process at no cost to them. The application will contain a notice that states that this is an important document and will be interpreted as needed for LEP. (<http://www.hud.gov/offices/fheo/promotingfh/lep.cfm>)

ELIGIBILITY

2230 Main St. Realty Trust ("Owner") and Tewksbury Housing Authority ("Agent") will utilize the following eligibility criteria and procedures for selecting new and future residents for the 2230 Main St. Apartments. This document will be updated as necessary to comply with all regulations and guidelines that might be applicable. Any changes must be submitted and approved by the Subsidizing Agency having jurisdiction. The Affirmative Fair Housing Marketing and Tenant Selection Plan will be implemented for the term of the Affordable Housing Restriction as set forth in the Regulatory Agreement between the Owner and the Subsidizing Agency having jurisdiction.

The eligibility for the 2230 Main St. Apartments is as follows:

1. Income: Nine units will be rented to households earning no more than 80% of Area Median Income (AMI) for the Lowell HMFA.

In addition:

- All eligible tenants for these units must apply through the Tewksbury Housing Authority.
2. Household/Apartment Size: Applicants will be eligible for units appropriate to the size of their household. A minimum of one person will be assigned per bedroom. Maximum household size will be based on the State Sanitary Code, applicable local bylaws and will not violate state or federal civil rights. Households that are eligible by income and household apartment size will be ranked according to the following priorities:
 - a. Disabled – 1 of the units will be hearing impaired accessible; individuals/households who need HIA housing will be given a priority for this unit.
 - b. Within an applicant pool preference shall be given to households requiring the total number of bedrooms in the unit based on the following criteria:
 - i. There is at least one occupant per bedroom.¹
 - ii. A husband and wife, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share but shall not be required to share a bedroom.
 - iii. A person described in the first sentence of (b) shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and the lottery agent receives reliable medical documentation as to such impact of sharing.

Within an applicant pool second preference shall be given to households requiring the number of bedrooms in the unit minus one, based on the above criteria. Third preference shall be given to households requiring the number of bedrooms in the unit minus, two, based on the above criteria.

¹ Disabled households must not be excluded from a preference for a larger unit based on household size if such larger unit is needed as a reasonable accommodation.

A “household” shall mean two or more persons who will live regularly in the unit as their principal residence and who are related by blood, marriage, law or who have otherwise evidenced a stable inter-dependent relationship, or an individual.

Lottery drawings shall result in each applicant being given a ranking among other applicants with households receiving preference for units based on the above criteria. Household size shall not exceed State Sanitary Code requirements for occupancy of a unit (See 105 CMR 400).²

Applicant households must also meet minimum suitability standards. The following circumstances may disqualify an applicant household for housing. Applications will be processed in the order they are received.

- a. Non-payment of rent during the past 12 months. The applicant would not be automatically rejected if the management company felt that there were mitigating circumstances related to the non-payment.
- b. Verifiable history of late payment or non-payment of financial obligations.
- c. A history of criminal activity by any member of the applicant household, which might interfere with the health, safety, security or peaceful enjoyment of other residents. Probation records must be provided by the head of household and spouse/companion in accordance with Massachusetts General Laws.
- d. Any previously displayed behavior by any member of the applicant household which would severely infringe upon the safety, health, peace or well being of other residents. Documented physical destruction of property or vandalism would also be grounds for disqualification.
- e. Previous eviction due to problems caused by any applicant or member of the applicant household.
- f. False information on the application, as determined upon verification of information on the application.

² Note, however, that fair housing exceptions may apply: see HUD Fair Housing Enforcement—Occupancy Standard; Notice of Statement of Policy, Docket No. FR-4405-01 (1998).

MARKETING PLAN SCHEDULE

The advertising plan will be established along with the creation of a simple flyer for potential applicants. Flyers will be in English. Management will supply oral interpretation should an applicant or resident have difficulty understanding material because of limited English Proficiency. This service will be at no cost to the applicant or resident.

Within 60 days from the beginning of the marketing period, the Agent will hold one briefing for interested potential residents as well as all the local housing and social service organizations to explain the availability of the units, the project, the eligibility requirements and the application/lottery process. The date, time, and location of these meetings shall be published in advertisements and flyers that publicize the availability of lottery applications. The meeting shall be held in one of the following locations: a Tewksbury municipal building, a local school or library, or other public meeting room or accessible space as might be available. This meeting(s) is to be held in the evening or on weekend days.

INITIAL TENANT SELECTION

Out of the (9) nine affordable rental units, four of these units will be 1-bedroom units and five of these units will be (2) two bedroom units. 2230 Main St. Realty Trust will work closely with the Tewksbury Housing Authority (THA) on the marketing and selection of households for these units. THA will send out informational flyers to all persons on their waiting lists as well as the general public. The Agent will also distribute flyers to all persons in their properties who may qualify for these units, as well as anyone on their waitlists. Interested persons will be asked to contact the Agent to fill out an application for the below market units. These units will be designated as low income units for households at or below 80% of area median income.

Lottery Process for all Units:

The applicants will be screened for initial eligibility based on household income (see eligibility criteria). A lottery will be held for these units, following the process detailed below. In no event shall the local preference exceed more than 70% of the affordable units of the project. In no event will any advertising have a discouraging effect on eligible applicants and as such, local residency preferences; specifically, that the local preference not exceed 70%, will not be advertised except as required.

The applicants will also be asked to identify whether they are requesting and are eligible for a hearing impaired accessible unit. The following preference of equal weight will be applied to these applicants:

Tewksbury Residents are defined below:

1. Current residents: A household in which one or more members is living in the city or town at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing or voter registration listing.
2. Municipal Employees: Employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or town hall employees.
3. Employees of Local Businesses: Employees of businesses located in the municipality.
4. Households with children attending the locality's schools
5. A household that currently lives outside of Tewksbury but has received a bona fide offer of employment in Tewksbury.

The lottery will have two applicant pools: a local preference pool (only available during initial rent up) and an open pool. After the application deadline has passed, the Agent will determine the number of local resident minority households there are in the municipality and the percentage of minorities in the local preference pool. If the percentage of minority local resident households in the local preference pool is less than 27% (the percentage of minorities in the surrounding HUD-defined area), the Developer will make the following adjustments to the local preference pool:

- The Agent will hold a preliminary lottery comprised of all minority applicants who did not qualify for the local preference pool, and rank the applicants in order of drawing.
- Minority applicants will then be added to the local preference pool in order of their rankings until the percentage of minority applicants in the local preference pool is 27%.
- Applicants will be entered into all pools for which they qualify. For example, a local resident should be included in both pools.
- Minorities will be identified in accordance with the classifications established by HUD and the U.S. Census Bureau, which are the racial classifications: Black or African American; Asian; Native American or Alaska Native; Native Hawaiian or Pacific Islander; or other (not White); and the ethnic classification Hispanic or Latino.

The lottery will consist of two drawings, for each type of unit available (1 BR and 2 BR) in the following order: the first for applicants who have the Tewksbury preference; the

second for all applicants, whether local or non-local. Within each category, every applicant household's name will be drawn and names will be placed on a list in the order they are drawn. The first household will be offered the unit and the waitlist will be ordered by the number they were selected in the lottery. Within the list for each type of unit, the households that request and are eligible for a hearing impaired accessible unit will be selected in the order they appear on the list, and will get a preference for that unit.

Units will be awarded as follows:

6 units - local pool

3 units - open pool

SCREENING AND TENANT SELECTION

2230 Main St. management personnel will interview all applicants. During the interview process, applicants will be asked a number of standard questions. The THA will also send out income verification forms, credit checks, etc as a means to verify eligibility. The Tewksbury Housing Authority will be responsible for the obtaining and reviewing the income verification forms for all of the affordable units with the project.

All applicants will be notified by mail of their preliminary eligibility. Ineligible notices will contain the reasons(s) for the ineligible determination and the appeal process.

Each adult member of an applicant family will be required to sign the necessary consent forms to secure third-party verifications of income, credit/criminal histories and landlord references. Once information has been verified, the appropriate certification forms will be completed.

Reasons for an ineligible determination at this point may include, but are not limited to, inappropriate family size, total family income insufficient to afford monthly rents, and/or total family income above the maximum guidelines.

The letter will contain the statement: "If you believe you have been discriminated against in seeking housing, you should contact the U.S. Department of Housing and Urban Development, (617)565-5308

ONGOING MARKETING AND SELECTION

When the property's waitlist requires additional applicants, the agencies and organizations listed above will be contacted in writing, followed up by telephone if necessary. Advertisements in the listed newspapers may also be placed as necessary.

Applications will be accepted on an ongoing basis while the waiting list is open. Apartments will be shown as units become available. After reviewing applications for basic eligibility and completeness, applications will be sorted by the following categories:

1. Income – following income restrictions and guidelines outlined above

2. Household size and Unit size
3. Priority Needs Category
4. Ineligible for other reasons

Within the categories noted above, eligible tenants will be sorted and selected on a first-come, first-serve basis based upon the date of their application.

When the units are vacated, 2230 Main St. Realty Trust will refer applicants on the low-income waitlist. These applicants will have been approved by THA as per their income eligibility requirements.

WAITING LIST

For future vacancies, the Agent will select tenants based on the order in which they appear on the list, as well as in their eligibility category. New applications will be placed on the list in chronological order after the initial applicants. If there are more applications on the waiting list from the initial rent-up than can be reasonably expected to be offered an apartment within 5 years, the Agent reserves the right to close the waiting list to new applicants.

- Waiting lists will be organized by type of unit. A separate list will be maintained for every type of unit. "Type of unit" is defined in the following ways:
 - 1.) The number of bedrooms,
 - 2.) Whether the applicant is eligible for a low-income unit.
 - 3.) Whether the applicant is eligible for a hearing-impaired accessible unit.

Within these lists, those households that request and are eligible for a hearing-impaired accessible unit will be identified.

- Each applicant must be placed on the waiting list chronologically according to the date of the completed application within the applicable preference categories. Those names not selected for housing after the initial rent up phase will be placed first on the waiting list. Subsequent applicants shall be placed on the waiting list per the date of the completed application.
- The THA's records will indicate the date the applicant is placed on the waiting list. All records, including the application, will be retained for a period of three (3) years.
- The THA will update the waiting list every 12 months. Upon failure to respond to the THA's notice to contact the project, the applicant may be removed from the waiting list. It is the applicant's responsibility to update their contact information if their contact information changes (i.e. move, new phone number, etc.) to ensure they will remain on the waiting list.

- The waiting list may be closed if the projected turnover rate indicates that an applicant would be unable to obtain a unit within one year. Before closing a waiting list, the THA must receive written approval from 2230 Main St. Realty Trust to do so. Thereafter, 2230 Main St. Realty Trust will post a notice at the development that indicates: (a) the date the list will be closing and (b) the Agent's telephone number and fax number for notification. Notice must be in 14-point (or larger) print; in a minimum of English and Spanish; and in an accessible and central (such as the management office) location(s).
- When an applicant pool is no longer adequate due to the closure of the waiting list, the list shall be re-opened. The list shall be re-opened if fewer than 15 applicants are on the waiting list; the THA may choose to open the list with more than 15 applicants on the list. The THA shall follow the Ongoing Marketing guidelines outlined above to ensure a working usable waiting list. The Owner will receive written notification of the list's re-opening and the re-opening will be marketed as indicated in the marketing section.
- Waiting lists will be updated every twelve months. Prior to removing an Applicant's name from the waiting list, the THA will send written notice of the action, or notice in requested alternate format, to the Applicant, at the Applicant's address of record.

ELEMENTS OF THE TENANT SELECTION PLAN

A. Statement of Non-discrimination/No Conflict of Interest

- In carrying out this Tenant Section Plan, the Agent will not discriminate against applicants on the basis of race, creed, color, religion, national or ethnic origin, citizenship, ancestry, class, marital status, disability, familial status, military/veteran status, presence of children, source of income, age, gender, sexual orientation, or any other basis prohibited by local, state, or federal law in any aspect of tenant selection or matters related to continued occupancy.

B. Selection Criteria

To be considered for selection, applicants must submit a completed application and relevant consent forms. To determine threshold eligibility, the application may be accepted as a self-certifying statement. No third-party verification will be required until final screening for occupancy. Information needed to determine an applicant's eligibility will be verified within 120 days of formal acceptance for occupancy.

Note: Eligibility does not constitute acceptance and further screening is required to determine an applicant's ability to maintain a successful tenancy.

Eligibility will be determined on the following basis:

1. Maximum Income –Household annual income must not exceed current income limits for the program (see Eligibility Criteria, Attachment 1).
2. Other Eligibility Criteria Pursuant to Program Characteristics – Household characteristics, such as the number of family members or their age, must be appropriate to the size of the unit and pursuant to the program guidelines. See Attachment 1 for detailed requirements applicable to the 2230 Main St. Apartments.
3. Selection Criteria Based on the General Requirements of Tenancy – This Tenant Selection Plan sets forth the essential requirements of tenancy and the grounds on which tenants will be rejected for failing to meet such requirements. Rejection of an applicant is appropriate where the Agent has a reasonable basis to believe that the tenant cannot meet these essential requirements, which may be summarized as follows:
 - a.) to pay rent and other charges under the lease in a timely manner;
 - b.) to care for and avoid damaging the unit and common areas, to use facilities and equipment in a reasonable way, and to create no health or safety hazards;
 - c.) not to interfere with the rights and enjoyment of others and not to damage the property of others;
 - d.) not to engage in any activity that threatens the health, safety or right to peaceful enjoyment of other residents or staff, and not to engage in activity on or near the premises that involves illegal use of controlled substances or weapons; and any criminal activity on or off the premises that would be detrimental to the housing should it occur on the premises; and
 - e.) to comply with necessary and reasonable rules and program requirements of the housing provider.

Exhibit 2 to the 2230 Main St. Tenant Selection Plan lists circumstances that create the presumption that an applicant is not eligible for tenancy. Exhibit 2 is Attachment 2 to this plan. Under the circumstances identified therein, there is a reasonable risk that the applicant will not be able to meet the essential requirements of tenancy.

This plan provides for the consideration of mitigating factors that rebut the presumption that an applicant will be unable to meet the requirements of tenancy. Mitigating factors may include a showing of rehabilitation or rehabilitating efforts. Mitigating factors must be balanced against the potentially

disqualifying behavior or circumstances. In considering both the disqualifying behavior and mitigating factors, the Agent will determine if there is a reasonable risk that the applicant will be unable to meet the essential requirements of tenancy. Among the factors that should be considered are:

- the severity of the potentially disqualifying conduct;
- the amount of time that has elapsed since the occurrence of such conduct;
- the degree of danger, if any, to the health, safety and security of others or to the security of the property of others or to the physical conditions of the housing development and its common areas if the conduct recurred;
- the disruption, inconvenience, or financial impact that recurrence would cause the housing provider; and
- the likelihood that the applicant's behavior in the future will be substantially improved.

In general, the greater degree of danger, if any, to the health, safety and security of others or to the security of property of others or the physical condition of the housing, the greater must be the strength of showing that a recurrence of behavior (which led to an initial determination that the applicant would not be able to meet the essential requirements of tenancy) will not occur in the future.

4. Screening Procedures –If an applicant is selected for a unit, the Agent will secure background information from one or more of the following sources to obtain information about an applicant's ability to meet the essential requirements of tenancy:

- a) References from landlords in the last five years or from the last two successive tenancies, whichever is more inclusive;
- b) Credit references furnished by a credit bureau. Information to be considered should not be more than five years old;
- c) Personal references provided by the applicant;
- d) Visits to the applicant's current residence to assess housekeeping habits if there is an indication that this has been an issue in the past or if such visits are required in connection with all applicants for housing;

- e) Record of prior criminal history. Once the lottery has been complete, the Agent may obtain the Criminal Offender Record Information (CORI) reports as part of the tenant selection process, but access and use of the CORI reports are subject to the provisions of 803 CMR §5 et seq. The Agent ensures that none of the information it obtains is collected in violation of the law. * A CORI is not required as part of the initial lottery process and may only be requested if an applicant is being screened for a unit;
- f) Verification of income and assets either from a present employer, appropriate agency, financial institution or other appropriate party;
- g) Verification of a disability from an applicable professional when the applicant requests a modification to a unit, eligibility for a preference based on disability status, or a reasonable accommodation. Inquiries concerning a person's disability or disabilities in this regard should be limited to verification of the disability and the need for an accommodation or the qualification for a program. The disability and/or the need for the accommodation will only be verified if it's not obvious.

If an applicant claims that past tenancy-related problems were the result of a disability and that some condition has changed making such behavior unlikely to recur, the Agent will consider evidence supporting such claims. All applicants are responsible for providing verification for such claims. In instances where the applicant claims that some services or treatment will be available to enable the applicant to correct the problem behavior, the Agent will require verification that such services are available and that the applicant is likely to continue to use such services or treatment.

Mitigating circumstances will be verified and the individual performing the verification must corroborate the reason given by the applicant for unacceptable tenancy-related behavior and indicate that the prospect for lease compliance in the future is good because the reason for the unacceptable behavior is either no longer in effect or otherwise controlled.

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

- (As applicable) There is no current illegal use, within the last year, of controlled substances. If such use is documented, applicant must present evidence that such use has stopped and is unlikely to recur.

- (As applicable) There is no current abuse of alcohol and abuse is unlikely to recur.
- During the period for which the applicant has claimed no current use, the applicant's behavior in the previously unacceptable tenancy-related area must have been acceptable.
- In any case of confirmed, continued, unacceptable tenancy-related behavior, despite the cessation of drugs or alcohol abuse use an applicant may be rejected.

An Agent may consider an applicant's credit history, but such may be used in lieu of rental history to determine an applicant's ability to pay rent only when rental history is not available. Where bad credit is the basis for rejection, mitigating circumstances may include: (i) a representative payer or other reliable third party who would take written responsibility for payment, or (ii) evidence that such poor credit was the result of a disability that is now under control, or (iii) evidence that credit problems were the result of other circumstances that no longer exist and there is reason to believe that applicant will now pay the rent promptly and in full. An applicant's ability and willingness to pay rent must be demonstrated through an identifiable source of sufficient income to pay rent and prior rental history. The lack of credit history, as opposed to poor credit history, is not sufficient justification to reject an applicant. An Agent must also take into account rent burden if an applicant can demonstrate a history of satisfying a higher rent burden than the Agent normally employs. (See Rejection Standards)

The Agent shall have the right to request information reasonably needed to verify the mitigating circumstances, even if such information is of a confidential nature (e.g. doctors' reports). If the applicant refuses to provide or give access to such further information the Agent may choose not to give further consideration to the mitigating circumstance.

5. Prohibited Screening Criteria - The Agent may not screen applicants for eligibility on the basis of the following:
 - a) Physical Examinations. The Agent will not require physical examinations or medical testing as a condition of admission.
 - b) Donations or Contributions. The Agent will not require a donation, contribution or membership fee as a condition of admission. The Agent may not require any payments not provided in the lease.

- c) Disability Status. Except as provided in section 4 (g) above, it is unlawful to make an inquiry to determine if an applicant for a dwelling unit, a person intending to reside in that dwelling unit after it is rented or made available, or any persons associated with the applicant, has a disability or handicap, or to make inquiry as to the nature or severity of an identified disability or handicap.

C. Privacy Policy

1. It is the policy of the Agent to guard the privacy of individuals in accordance with the Federal Privacy Act of 1974 and the Massachusetts Privacy Act, and to ensure the protection of records maintained by the property concerning the applicants or tenants.

The Agent shall not disclose any personal information contained in its records to any persons or agencies other than the 2230 Main St. Realty Trust or other authorized agency unless the individual about whom information is requested has given written consent to such disclosure, or unless disclosure is otherwise in accordance with provisions in the state or federal privacy acts.

This privacy policy in no way limits the Agent's ability to collect such information as it may need to determine eligibility, compute rent, or determine an applicant's suitability for tenancy or to gather information to process reasonable accommodations requests under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Fair Housing Act.

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

2. Notification of Decision on Application - The THA will send a written response to each applicant advising such applicant of the status of the application. The response will be mailed not more than thirty days from the date of receipt. Alternate formats for responding to an applicant with a disability will be provided upon applicant's request. If the THA has not made a determination to reject the applicant, the written response will include the status of the application with respect to:
 - result of the preliminary determination of eligibility,
 - position on the waiting list,
 - estimate of the time it may take before the applicant will be offered assistance,

- notice that the applicant is responsible for reporting changes in address, phone number, and preference status,
 - where applicable, the applicant's qualification for a preference(s) for admission, and
 - a statement that the applicant has the right to meet with the THA to discuss the determination made with respect to the application.
3. Provisions Relating to Rejection of an Application - If the applicant is not accepted, or is not placed on the waiting list for admission, the THA shall follow the procedures outlined in section C.2 above, but shall include the following in its written response to the applicant:
- the reason(s) for the rejection,
 - notice that the applicant has five business days to respond in writing or to request a conference with the THA to contest the rejection, and
 - notice that the applicant has the right to request a reasonable accommodation if the applicant believes that, with such an accommodation, the applicant would be eligible for admission and that the applicant was rejected for a reason arising from the applicant's disability.

CONTINUED ELIGIBILITY

As a **current resident only**, you are considered income eligible for an affordable unit as long as your household earns an income that does not exceed 140% of the current applicable income limit for a household of your size (*see Yearly Eligibility and Rent Review for more details*).

CONCLUSION

The Agent acknowledges that this plan may not address every activity relating to selection. Questions concerning this plan, and any of its applications, should be directed to the Tewksbury Housing Authority, or to 2230 Main St. Realty Trust.

Attachment 1

Eligibility Criteria

The following criteria shall be utilized to determine an applicant's eligibility:

- ◆ A household is a family or single person who is eligible under applicable federal/state requirements.
- ◆ The Agent must develop a written method for assigning units and have it available on-site.
- ◆ Occupancy per unit is as follow:

<i>Unit size</i>	<i>min. # of persons</i>
1 bedroom	1
2 Bedroom	2

Maximum household size will be based on the State Sanitary Code, applicable local bylaws and will not violate state or federal civil rights. Households that are eligible by income and household apartment size will be ranked according to the following priorities:

Disabled – 1 of the units will be hearing impaired accessible; individuals/households who need HIA housing will be given a priority for this unit.

Larger Household Preference

Within an applicant pool first preference shall be given to households requiring the total number of bedrooms in the unit based on the following criteria:

- a. There is at least one occupant per bedroom.³
- b. A husband and wife, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share but shall not be required to share a bedroom.
- c. A person described in the first sentence of (b) shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and the lottery agent receives reliable medical documentation as to such impact of sharing.

³ Disabled households must not be excluded from a preference for a larger unit based on household size if such larger unit is needed as a reasonable accommodation.

Within an applicant pool second preference shall be given to households requiring the number of bedrooms in the unit minus one, based on the above criteria. Third preference shall be given to households requiring the number of bedrooms in the unit minus, two, based on the above criteria.

- ◆ Household annual income does not exceed 80% of Area Median Income.

INCOME

A household's income is the total anticipated amount of money received by ALL members of the household over the next 12 months (starting from the date of application and projecting forward 12 months) based on their current income and assets. This includes, but is not limited to, Social Security, alimony, child support, overtime pay, bonuses, unemployment, severance pay, part-time employment, matured bonds, monies to be received in court settlements, and actual or imputed interest and dividends on bank accounts and other assets. ALL SOURCES OF INCOME ARE COUNTED with the exception of income from employment for household members under the age of 18 and any income over \$480/year for full time students who are dependents (but note that all such income must still be documented even if it is exempt from the household income calculation).

ASSETS

There is no asset limit for applying households for this development. However, the higher of the actual income earned from assets, or the imputed income of 0.06% of all assets, will be counted as income. Household Assets are calculated at the time of application. Assets may include cash, cash in savings and checking accounts, net cash value of stocks, net cash value of retirement accounts (such as 401k), real property, bonds, and capital investments.

- ◆ Households who have provided verified social security numbers (SSN) for all family members who are at least six (6) years of age.
- ◆ Households who have not committed any fraud in connection with any Federal or State Housing Assistance Program, and owe no rent or other amounts in connection with housing assistance.
- ◆ Eligible tenants for these two low income units must apply through the Tewksbury Housing Authority (THA).

Acceptance of a unit at maximum occupancy does not give the tenant the right to claim overcrowded conditions and request a transfer to a larger unit, unless the family size changes.

YEARLY ELIGIBILITY AND RENT REVIEW

After a household has moved in, and approximately 90 days before lease renewal, tenants of affordable apartments will need to submit updated income and asset documentation to the Housing Office so they can ensure continued eligibility under the affordable housing guidelines. Tenants will not be able to renew Leases until all required documentation has been submitted. Records of taxes, pay-stubs, bank statements and asset statements should be maintained while living in the affordable apartment.

As a **current resident only**, you are considered income eligible for an affordable apartment as long as your household earns an income that does not exceed **140% of the current year's income limit** for a household of your size.

<i>Using the Current Income Limits as an example:</i>	Current Income Limit for New Applicants	Income Limit for Current Tenants (140% of Current Income Limit)
Household Size		
1	\$55,950	\$78,330
2	\$63,950	\$89,530
3	\$71,950	\$100,750
4	\$79,900	\$111,860

If the tenant's income exceeds 140% of the maximum income permitted at the time of annual income determination, the unit will be deemed a Low and Moderate Income Unit until the tenant's one-year lease term expires.

If, after initial occupancy, the income of a tenant in a Low and Moderate Income Unit increases, and as a result of such increase, exceeds one hundred forty percent (140%) of the maximum income permitted hereunder for such a tenant, at the expiration of the applicable lease term, the rent restrictions shall no longer apply to such tenant. When the over-income tenant voluntarily vacates the unit and when the unit is again rented to an Eligible Tenant, the unit will be deemed a Low and Moderate Income Unit.

Exhibit 2 to the Tenant Selection Regulations

Rejection Standards

For income eligible applicants the manager will review documentation gathered during the screening process. Using the criteria listed below the applicant will be evaluated and a decision to accept or reject will be made.

An applicant and the applicant household shall be disqualified for a unit at 2230 Main St. for any of the following reasons:

- a) The applicant, or household member, has disturbed a neighbor or neighbors in a prior residence by behavior, which if repeated by a tenant at 2230 Main St., would substantially interfere with the rights of other tenants to peaceful enjoyment of their units.
- b) The applicant, or a household member, has caused damage or destruction of property at a prior residence, and such damage or destruction of property, if repeated by a tenant at 2230 Main St., would have a material adverse effect on the housing development or any unit in such development.
- c) The applicant or a household member has displayed living habits or poor housekeeping at a prior residence, and such living habits or poor housekeeping, if repeated by a tenant at 2230 Main St., would pose a substantial threat to the health or safety of the tenant or other tenants or would adversely affect the decent, safe and sanitary condition of all or part of the housing.
- d) The applicant or household member in the past has engaged in criminal activity, or activity in violation of M.G.L. c. 151B, §4, which if repeated by a tenant at 2230 Main St., would interfere with or threaten the rights of other tenants to be secure in their persons or in their property or with the rights of other tenants to the peaceful enjoyment of their units and the common areas of the housing development.
- e) The applicant or any household member who will be assuming part of the rent obligation has a history of non-payment of rent and such non-payment, if repeated by a tenant at 2230 Main St., would cause monetary loss; provided, however, that if the applicant or household member paid at least 50% of his/her household's monthly income for rent each month during a tenancy but was unable to pay the full rent, an eviction for non-payment of the balance shall not disqualify such individual from housing pursuant to this paragraph.
- f) The applicant or a household member has a history of failure to meet material lease terms or the equivalent at one or more prior residences, and such failure if repeated by a tenant at 2230 Main St., would be detrimental to the housing development or to the health, safety, security or peaceful enjoyment of other tenants.

- g) The applicant has failed to provide information reasonably necessary for the housing provider to process the applicant's application.
- h) The applicant has misrepresented or falsified any information required to be submitted as part of the applicant's application or a prior application submitted within the last three years, and the applicant fails to establish that the misrepresentation or falsification was unintentional.
- i) The applicant, or a household member, has directed abusive or threatening behavior which was unreasonable and unwarranted towards a management agent employee during the application process or any prior application process within three (3) years.
- j) The applicant does not intend to occupy housing, if offered, as his/her primary residence.
- k) The applicant or household member is a current illegal user of one or more controlled substances as defined in M.G.L. c. 94C §1. A person's illegal use or possession of a controlled substance within the preceding twelve months shall create a presumption that such person is a current illegal user of a controlled substance, but the presumption may be overcome by a convincing showing that the person has permanently ceased all illegal use of controlled substances. This disqualification of current illegal users of controlled substances shall not apply to applicants for housing provided through a treatment program for illegal users of controlled substances.

In making determinations relative to rejecting an applicant, the following considerations are made:

1. The possible biases, attitudes and motives of all references and sources of information will be considered.
2. All information used in consideration of an applicant will be current. The possibility of mitigating factors will be considered in every case.
3. Consideration will be given to the applicant's present income to rent ratio and whether the rent level for the unit for which the applicant is applying would help eliminate present financial hardship when judging an applicant's payment record or credit report.

All rejections and supporting documentation will be reviewed by the Property Manager. All eligibility factors must be verified in writing and maintained in the applicant's file.

If it is determined that an applicant is ineligible because of family composition, because his/her eligibility income exceeds the appropriate income limits, because the applicant's family composition is not suitable for the size units available, or because the applicant does not meet the selection criteria outlined above, the applicant will be promptly notified in writing of this determination. The notice explains why the applicant is not

being admitted and will advise the applicant that s/he may (within 14 days of receipt of the rejection notice) respond in writing or request to meet with management to discuss the notice.

Provisions Relating to Rejection of an Application, if the applicant is not accepted or is not placed on the waiting list for admission, the Agent shall include the following information in its written response to the applicant:

1. the reason(s) for the rejection
2. notice that the applicant has five business days to respond in writing or to request a conference with the Agent to contest the rejection, and
3. notice that the applicant has the right to request a reasonable accommodation if the applicant believes that, with such an accommodation, the applicant would be eligible for admission and that the applicant was rejected for a reason arising from the applicant's disability.

The notice will also inform the applicant that responding to the agent's notice does not preclude the applicant from exercising other avenues available if applicant believes that s/he is being discriminated against on the basis of race color, creed, religion, sex, national origin, sexual orientation, age, familial status or handicap. The meeting or the review of the applicant's written response will be conducted by a member of the management agent's staff who did not participate in the initial decision to reject the applicant.

If the applicant responds in writing and a meeting is held, the applicant will be advised, in writing, whether or not the Agent's position has changed. This letter will be sent within five days of the date the meeting was held.

The application, the notice of rejection, any applicant response and the Agent's final response will be maintained for a period of not less than three years. The file will contain all interview and verified information on which the determination was based. The file will be maintained in a manner which respects the applicant's right to privacy.

Violence Against Women Act of 2005 has been incorporated into the resident selection plan. The following VAWA Protections apply to applicants and tenants for 2230 Main St. Apartments.

1. The Landlord may not consider incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse.

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

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



**2230 Main St.
Affordable Unit Rental Application**

Lottery# _____

General Information:

(THA use only)

Name _____

Address _____

City _____ **State** _____ **ZipCode** _____

Home Telephone Number: () _____

Work Telephone Number: () _____

Number of persons in Household _____

Household Information:

Please list ALL household members including your self, regardless of age, who will occupy the affordable unit:

Name: _____ Date of Birth _____ M/F _____ Social Security Number _____ Relationship _____

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

Section 8 (circle yes or no):

Do you currently have a Section 8 Voucher (or similar housing subsidy)? **YES**

NO

If yes, which Housing Authority is your voucher issued from? _____.

PREFERENCE INFORMATION

Local Preference:

Please indicate whether any member of your household meets any of the following local preference criteria by checking Yes or No:

Current Tewksbury resident: Yes No
Town of Tewksbury employee: Yes No
Employee of a business located in Tewksbury: Yes No

To be considered for the Local Preference category, one of the above boxes must be checked. Please provide proof of preference, such as a copy of a license, tax bill, pay stub, utility bill, census listing, birth certificate, etc.

Optional Section: Please check off the appropriate race category for each household member. This information will only be used in accordance with the New England Funds guidelines to ensure affirmative marketing requirements.

Minority (Optional):

(Please check all boxes that apply):

Applicant:

White/Non minority African American American Indian/Alaskan
Native Asian/Pacific Islander Hispanic/Latino Other

Co-Applicant(s):

White/Non minority African American American Indian/Alaskan
Native Asian/Pacific Islander Hispanic/Latino Other

For **Disabled-Accessible Preference**, check the appropriate box for the following Question:

Are you, or any member of your household, in need of an accessible unit?

: YES ___ NO ___

(This is defined as persons with a physical or mental disability that meet standards established by the state laws for disabled housing)

Verification of need of an accessible unit must be provided in the form of a Doctor's note or equivalent.

For **Hearing Impaired Accessible unit**, check the appropriate box for the following Question:

Are you, or any member of your household, in need of a Hearing/Visual Adapted apartment? YES ___ NO ___

References

List two references. These should not be relatives or household members.

1. Name _____ Phone _____
Address _____ City _____ State ____ Zip _____

2. Name _____ Phone _____
Address _____ City _____ State ____ Zip _____

List Addresses for each Adult Household Member for the last five (5) years in reverse order.

1. Name of Primary Leaseholder _____ Address _____ Apt# _____ Date from _____ To _____ City _____ State ____ Zip _____ Landlord Name _____ Phone _____ Landlord Address _____ City _____ State ____ Zip _____ Did this landlord bring any court action against the leaseholder or you? Yes ____ No ____ Did this landlord return your security deposit? Yes _____ No _____

2. Name of Primary Leaseholder _____ Address _____ Apt# _____ Date from _____ To _____ City _____ State ____ Zip _____ Landlord Name _____ Phone _____ Landlord Address _____ City _____ State ____ Zip _____ Did this landlord bring any court action against the leaseholder or you? Yes ____ No ____ Did this landlord return your security deposit? Yes _____ No _____

3. Name of Primary Leaseholder_____

Address_____ Apt#_____ Date from_____ To_____

City_____ State_____ Zip_____

Landlord Name_____ Phone_____

Landlord Address_____ City_____ State_____ Zip_____

Did this landlord bring any court action against the leaseholder or you? Yes____
No____

Did this landlord return your security deposit? Yes_____ No_____

Instructions for Completing the Following Income Table

- List ALL CURRENT sources of income as requested below for ALL household members over 18 years old.
- Please note that the Income Table is 2 pages and income from Social Security, Pension, interest etc. is all on the second page of the table.
- If you have left a job since January 1, 2018 and are no longer receiving income, do NOT list it in this table.
- For self-employed applicants- include the employer, contract or job name in the space provided.
- “Interest Income” refers to any amount that you receive from any asset including amounts that you may be drawing down from a retirement account or 401K.

- For any section that doesn't apply, cross out or write NA.

In this section of the application, you will be asked multiple questions about your information in the following Income and Asset tables.

Income Information

Please complete the following information for members receiving income in the household at the time of the application. Household income includes gross wages, child support, Social Security benefits, all types of pensions, employment, Unemployment Compensation, Workman's Compensation, alimony, disability or death benefits and any other form of income; including rental income from property:

In addition to completing the following, please attach all income documentation including:

- Five most recent pay stubs
- Social security documentation
- Pension documentation
- Entire tax returns and W-2s for the last three years

INCOME

Household Member Name	Source of Income	Current <u>Gross</u> Monthly Income
	Employer (name)	
	Self-Employed (source name)	
	Child Support/Alimony	
	Periodic payments from family/friends	
	Periodic payments from family/friends	
	Other Income (name/source)	
	Other Income (name/source)	

INCOME

Household Member Name	Source of Income	Current <u>Gross</u> Monthly Income
	Social Security	
	SSDI	
	SSDI	
	SSDI	
	Unemployment Compensation	
	Workers Compensation	
	Severance Pay	
	Pension (list source)	
	Pension (list source)	
	Retirement Funds	
	Title IV/TANF	
	Full-time Student Income (18 & over only)	
	Full-time Student Income (18 & over only)	
	Interest Income (source)	
	Interest Income (source)	
	Total Gross Monthly Household Income (TGMHI)	\$ /month

TGMHI x 12 = Anticipated Total Gross Yearly Household Income \$ /year
--

ASSETS

In addition to completing the following, **please attach three months recent bank statements and 401 K reports, plus reliable documentation as to other sources of income and assets.** If a section doesn't apply, cross out or write NA.

Checking Accounts	Name on Account	Bank	Amount
			Balance \$
			Balance \$
			Balance \$
Savings Accounts			Balance \$
			Balance \$
			Balance \$
			Balance \$
Trust Account			Balance \$
Certificates (or CD's)			Balance \$
			Balance \$
Savings Bonds	Maturity Date:		Value \$
	Maturity Date:		Value \$
401k, IRA, Retirement Accounts (Net Cash Value)	Company Name:		Value \$
	Company Name:		Value \$
	Company Name:		Value \$
Mutual Funds	Name:	# of Shares:	Interest/ Dividends Value
			\$ \$
			\$ \$
Stocks			\$ \$
			\$ \$
			\$ \$
Bonds			\$ \$
			\$ \$
			\$ \$
Investment Property			Appraised Value \$

REAL ESTATE

Do you, or anyone on this application, own any property or have owned property in the past 2 years? <i>(You may currently own property but it must be sold before your move-in date.)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you, or anyone on this application, entitled to receive any amount of money from the sale of any property? (currently or thru an upcoming court settlement)	<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>If yes to either question, type of property:</i>	
Location of property:	
Appraised Market Value: \$	
Mortgage or outstanding loans balance due: \$	

Recertification:

Tenants will be recertified annually for eligibility. If, after initial occupancy, the income of a tenant in an affordable unit increases and, as a result of such increase, your household exceeds 140% of the maximum allowable income adjusted for household size, then at the end of the lease, you will have the option of staying in your unit and paying the market rent or not renewing your lease.

During the lottery process we will not discriminate against applicants on the basis of race, creed, color, religion, national or ethnic origin, citizenship, ancestry, class, marital status, disability, familial status, military/veteran status, presence of children, source of income, age, gender, sexual orientation, or any other basis prohibited by local, state, or federal law in any aspect of tenant selection or matters related to continued occupancy.

2230 Main St. Apartments
Tewksbury, MA 01876

GENERAL AUTHORIZATION FOR RELEASE OF INFORMATION

Name: _____ SS# _____
Address: _____

I, the above named individual, have authorized the Tewksbury Housing Authority and 2230 Main St. Realty Trust to verify the accuracy of the information, which I have provided to the Housing Authority, from the following sources:

- | | |
|-------------------------------------|------------------------|
| Courts | Banks |
| Criminal History Board | Financial Institutions |
| Law Enforcement Agencies | Landlords |
| Employers: Past & Present | Providers of: |
| Schools & Colleges | Alimony |
| US Department of Defense | Child Care |
| US Postal Service | Child Support |
| State Employment Security Agencies | Credit |
| US Social Security Administration | Handicapped Assistance |
| US Department of Veteran's Services | Medical Care |
| Welfare Agencies | Pensions / Annuities |
| US Office of Personnel Management | IRS |
| Housing Attorneys, Housing Agencies | Wage Match |
| Other: _____ | |

I hereby give you my permission to release information to the Tewksbury Housing Authority and 2230 Main St. Realty Trust subject to the condition that it be kept confidential.

I understand a photocopy of this authorization is as valid as the original.
Thank you for your assistance and cooperation.

Signature: _____ **Date:** _____

This authorization is valid for a period of one year from the date noted above.