



TENANT SELECTION PLAN

WAIPAHU TOWER

May 2017

The following policies apply to all applicants/tenants of Waipahu Tower (WTC), located at 94-337 Pupumomi Street, Waipahu, Hawaii 96797. Mark Development, Inc. (MDI) is the Managing Agent and referred to in this document as MDI.

The tenant selection criteria shall be used for this Section 8 property during rent-up and/or management by MDI. The policy of MDI is one of equal opportunity and non-discrimination in compliance with Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination on the basis of disability in any program of activity receiving federal financial assistance, the Fair Housing Act prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability and familial status and Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in any program of activity receiving federal (HUD) financial assistance. HUD programs also must be operated consistently with HUD's Equal Access Rule which requires that HUD-assisted and HUD-insured housing are made available to all otherwise eligible individuals and families regardless of actual or perceived sexual orientation, gender identity, or marital status. Applicants must meet all Department of Housing and Urban Development (HUD), WTC and MDI tenant selection requirements to gain admission to this Section 8 property rented or managed by MDI.

Applicants are required to provide information regarding their income (name of employer, address, and phone number), assets, birth dates, social security numbers, previous housing landlord reference, and other applicable information. Credit and criminal background checks are also performed. Applications must be completely filled out in order to be considered for placement.

Applications may be obtained at the Manager's office of Waipahu Towers located at 94-337 Pupumomi Street, Waipahu, Hawaii 96797, MDI's office located at 3165 Waialae Avenue, Suite 200, Honolulu, Hawaii 96816 or by mail by calling 808-735-9099 and leaving your name, address and property interested in. Applications may be submitted in person or by mail at one of the two locations listed above. The date your application is received is the date used to rank your placement on the waitlist.

We will make accommodations to persons with disabilities who cannot utilize the above application process by providing an alternative method.

INCOME TARGETING

WTC uses the policy of leasing to not less than 40% of the dwelling units that become available for occupancy in any project fiscal year to extremely low-income families. The 2014 Consolidated Appropriations Act defines extremely low-income families as very low-income families whose income does not exceed the greater of the federal poverty guidelines as published by HHS or 30 percent of area median family income.

The following procedures are followed to ensure that at least 40% of the dwelling units that become available for occupancy in any project fiscal year to extremely low-income families:

1. Applications are reviewed for the waitlist by income category:
If at least 40% of the applicants on the waiting list who are expected to be offered units during the year have incomes at or below the extremely low-income limit. Applicants are admitted in order based on the receipt date of their application. Once the 40% is achieved, preference will be given to the very low-income limit.

If at least 40% of the applicants do not have incomes at or below the extremely low-income limit, WTC will select applicants between the first extremely low-income applicant on the waiting list and the applicant at the top of the waiting list for the available unit. For the next available unit, regardless of income level, the next eligible applicant currently at the top of the waiting list will be selected. As units become available, tenant selection continues to alternate between the next extremely low-income applicant and the eligible applicant at the top of the waiting list until the 40% target is reached.

2. Income Limitation: Will be set according to the 50% (55 units) & 60% (8 units) of the median income for the Honolulu area. Qualifying Annual Income Limits:

50% AMI (Effective 4/14/17):

1 person	2-person	3 person	4 person	5 person
\$ 36,650	\$41,850	\$47,100	\$52,300	\$56,500

60% AMI (Effective 4/14/17):

1 person	2-person	3 person	4 person	5 person
\$ 43,980	\$50,220	\$56,520	\$62,760	\$67,800

**Note: The maximum affordable rent limits are also subject to adjustment when the median income for the Honolulu area changes.*

Reasonable accommodations will be offered in the application and interview process to any disabled applicants when requested.

PROJECT SPECIFIC REQUIREMENTS

None.

REASONABLE ACCOMMODATIONS

WTC and MDI do not discriminate against a person or persons with disabilities in its services and structures. WTC and MDI provide equal opportunity to all persons with disabilities, and will make modifications to policies and/or structures upon request if the accommodation is both reasonable and financially feasible.

All requests for reasonable accommodations shall be submitted in writing to the Manager or MDI. Upon request, the applicant/resident will also need to provide the name, address, and telephone number of a third-party professional who will verify that the applicant/resident is a person with a disability who

requires the requested accommodation because of the disability. MDI will respond to the request as quickly as possible.

CITIZENSHIP/IMMIGRATION STATUS REQUIREMENTS

Effective June 19, 1995, HUD has implemented the Final Rule of Section 214 of the Housing and Community Development Act of 1980, as amended, prohibits the Secretary of HUD from making financial assistance available to persons other than United States Citizens, Nationals, or certain categories of Eligible Non-Citizens in the following HUD program:

1. Public and Indian Housing Programs
2. Section 8 Housing Assistance Payments Programs
3. Sections 235 and 236 of the National Housing Act
4. Section 101/Rent Supplement Programs

If you have applied, or are applying for assistance under one of the programs listed above; you are required to submit evidence of your U.S. Citizenship or eligible immigration status for yourself and each of your family members for whom you are seeking housing assistance.

If one or more family members contend that they have eligible immigration status, and other members of the family establish their citizenship or eligible immigration status, your family may be eligible for prorated assistance; i.e., the amount of assistance will be determined by the number of members of your household who are eligible. Your family must identify to the project owner/agent, the family member(s), who elect not to contend that he or she has eligible immigration status.

Failure to provide this information or establish status may result in your not being considered for housing assistance and your application being denied.

The Section 214 Review will be completed in conjunction with the verification of other aspects of eligibility for assistance. The Head of Household or Spouse/Co Head will be required to complete a Family Summary Sheet listing each family member who will be residing in the household. Each family member who is listed on the Family Summary Sheet must complete a Declaration form (e.g.: if you have 5 people listed on your Family Summary Sheet then you must have 5 Declarations). An adult member will complete the declaration for any family member who is a minor under the age of 18. Each adult family member will complete his/her own declaration.

A noncitizen who is 62 years of age or older must submit a signed declaration of eligible status and show proof of age. A noncitizen claiming eligible status and is under the age of 62 must also complete a declaration, a consent form and supply one of the Department of Homeland Security (DHS) documents as stated in the packet. A noncitizen who is not claiming eligible status must submit a signed statement acknowledging that they are not eligible for assistance.

Applicant(s) will have ten (10) days to submit the required documents. If it cannot be submitted by the end of the tenth (10th) day an extension may be requested. An extension of not more than thirty (30) days will be granted only if the applicant provides a written certification that the requested documentation is temporarily unavailable and that more time is needed to obtain the documentation.

The applicant will be notified in writing of the decision to grant or deny the extension. If granted, the applicant will be notified in writing of the deadline for submitting the documentation. If denied the

applicant will be notified in writing of the reason.

Validity of documents provided by an applicant/tenant claiming eligible immigration status will be verified through the DHS automated system known as the SAVE ASVI database. Further verification through DHS may be necessary. Notification will be given to the family in writing as to a positive or negative determination of eligibility.

ELIGIBILITY OF STUDENTS UNDER SECTION 8 ASSISTED HOUSING

Section 8 assistance will not be given out to any individual who (applies at move-in, annual recertification, initial certification, when in-place tenants starts receiving assistance and due to household changes in enrollment – interim certification):

1. Is enrolled as a PT or FT student at an institution of higher education to obtain a degree, certificate, or other program leading to a recognized educational credential; and
2. Is under 24 years of age; and
3. Is not married; and
4. Is not a veteran of the United States military; and
5. Does not have a dependent child; and
6. Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving section 8 assistance as of November 30, 2005. (See Definition E in Figure 3-6); and
7. Is not living with his or her parents who are receiving Section 8 assistance; and
8. Is not individually eligible to receive Section 8 assistance or has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance. If a student is not determined to be independent from his/her parents and is seeking section 8 assistance the eligibility determination will be based on both the student and the parents being income eligible.

Unless the student can demonstrate his or her independence from parents, the student must be eligible to receive Section 8 assistance and the parents (individually or jointly) must be eligible to receive Section 8 assistance in order for the tenant to receive Section 8 assistance. MDI must use and the student must meet the following criteria to be eligible for Section 8 assistance as an independent student. The student must:

- Be 24 years of age or older by December 31 of the award year;
- Is an orphan, in foster care or a ward of the court at any time when the individual was 13 years of age or older;
- 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 individuals State of legal residence;
- Is a veteran of the Armed Forces of the United States or is currently service on active duty in the Armed Forces for other than training purposes;
- Is a graduate or professional student;
- Is a married individual;
- Has legal dependents other than a spouse;
- Has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth or as unaccompanied, at risk of homelessness and self-supporting;
- Is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.

When a student claims his or her independence from parents, MDI will verify the student's independence from his or her parents by doing all of the following:

- Review and verify previous address information to determine evidence of a separate household verifying that the student meets the U.S. Department of Education's definition of independent student;
- Review a student's prior year income tax returns to verify the student is independent or verifying the student meets the Department of Education's definition of independent student;
- Verify income provided by a parent by requiring a written certification from an individual providing the support. Certification is also required if the parent(s) is not providing support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income.
- Certification is also required if the parent is providing NO support to the student
- Verify additional criteria established, if applicable, to use when determining the student's independence from parents.

NOTE: For students receiving Section 8 assistance, all financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition and required fees is included in annual income UNLESS: (1) the student is living with his/her parents receiving S8 or (2) the student is over the age of 23 with a dependent child. Financial aid received from people living outside the unit is not counted if the student meets the definition of "vulnerable youth".

TEMPORARY DEFERRAL OF TERMINATION OF ASSISTANCE

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

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

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

The initial deferral period is for six months and may be extended for an additional six-month period, not to exceed 18 months. At the beginning of each deferred period, WTC and MDI will inform the family of its ineligibility for financial assistance and offer the family information concerning, and referrals to assist in finding, other affordable housing.

SOCIAL SECURITY NUMBER (SSN) REQUIREMENTS

In order for MDI to make an eligibility determination the applicant(s) must disclose their social security number(s) (SSN). The head of household/spouse/co-head must disclose SSNs for all family members regardless of age. If a SSN has not been assigned to a particular family member, then the applicant must sign a certification stating that no SSN was assigned.

Applicant(s) MUST provide documentation of SSNs. The following lists accepted forms of documentation:

1. Original Social Security card
2. Driver's license with SSN
3. Identification card issued by a federal, State, or local agency, medical insurance provider, or an employer or trade union.
4. Earnings statements on payroll stubs
5. Bank statement
6. Form 1099
7. Benefit award letter
8. Retirement benefit letter
9. Life insurance policy
10. Court records
11. Self-declaration (certification that the document is complete and accurate)

If an applicant has no documentation of SSN, the applicant may submit a written self-declaration stating that the number is accurate but that acceptable documentation could not be provided. Applicant(s) must provide the proper SSN documentation within sixty (60) days from the date of the self-declaration that states that documentation was not available.

If an applicant is determined to be eligible for admission but has an outstanding SSN verification, the applicant may retain his/her place on the waiting list for the 60-day period while the applicant is trying to obtain the proper documentation. If applicant(s) cannot supply the required SSN documentation in the 60-day period, the applicant will be determined ineligible and will be removed from the waiting list. Applicant(s) will be notified in writing stating the reason for removal.

The Social Security Number requirements do not apply to:

1. Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
2. Individuals who do not contend eligible immigration status.
3. A child under the age of 6 years added to the applicant household within the 6-month period prior to the household's date of admission. The household will have a maximum of 90-days after the date of admission to provide the Social Security Number and adequate documentation that the Social Security Number is valid. An additional 90 days may be granted under certain circumstances. If the household does not provide the Social Security Number and adequate documentation to verify the Social Security Number within the prescribed timeframe, HUD requires that the owner/agent terminate tenancy.

PROCEDURES FOR TAKING APPLICATIONS AND SELECTING FROM THE WAITING LIST

All applications received will indicate the date and time received by either a date and time stamp or writing and initialing the date and time received on the application. All applications will be accepted, however, only fully completed applications will be processed. Applications are placed on our waitlist in chronological order by date and time that the completed application was received. (In-house transfers will have priority on the waitlist).

All information on the application must be current. Should any information change, it is the sole responsibility of the applicant to inform MDI of such changes or risk cancellation of application. All person(s) (18 years or older) who will live in the apartment must provide their information on the application, sign the application, and be present at all interviews.

All applicant(s) will be notified in writing within ten (10) days from receipt of application as to the approval or denial of application. A letter of approval will state the date application was received and instructions on updating their application. A letter of denial will state the reason that the application was denied and the applicant will have fourteen (14) days from the date of letter to respond in writing or request a meeting to dispute the denial.

Any person identified as the following will be denied occupancy:

1. Was evicted from Waipahu Tower for any reason
2. Non-payment of any financial obligation to the Cooperative
3. Was found to have engaged in any criminal or drug related activity in, on or near the premises, by any tenant, household member, guest or management.
4. Was found to have interfered with the health, safety, or right to peaceful enjoyment of the premises by existing tenants or management.

Upon notification of an anticipated vacancy, "Next on Waitlist" letters with an enclosed Authorization to Release Information form, will be mailed out to the first five (5) applicants on the waiting list. Applicants must respond and notify management of their intent; e.g. to remain/remove from waiting list. To be processed further for the anticipated vacancy, applicant must return the enclosed Authorization to Release Information form allowing Management to perform initial background screenings, including Landlord References. If no response is received within ten (10) days, the application will be automatically cancelled and removed from the waiting list with no further notice.

A "Verification Process" letter requesting income/asset documents will be mailed to those who have passed the initial background screenings. At this point in the process it becomes FIRST COME, FIRST SERVED. Applicants who have successfully submitted all requested documents in the Verification Process will be scheduled for an Applicant Interview with the Property Manager, as part of the background screening process. The first qualified applicant, who has passed all background screenings including Applicant Interview and submitted all documents requested by Management, will be offered the available unit. The remaining interviewed applicants will be placed back on the waiting list in the order their application was originally received.

During an applicant's scheduled interview, each adult household member must be present and all adults must bring current photo identification. You will be notified by management if you are required to bring additional documents.

Applicant(s) must sign all requested third-party verification forms, if needed, at the interview. HUD requires all information regarding income, disability, and living status to be verified. Failure to sign any one of the verification forms or the "Authorization for the Release of Information" form will result in automatic cancellation of the application.

In the event the applicant(s) should miss two scheduled interviews with MDI, the application will be automatically cancelled with no further notice.

All applicants must update their application every six (6) months in writing (letter, e-mail, fax). Failure to update your application will result in an automatic cancellation of your application and you will be removed from the waitlist with no further notice.

Should MDI be unable to contact the applicant due to out of date information (returned mail, inactive

telephone number), the application will be automatically cancelled and removed from the waitlist with no further notice.

OCCUPANCY GUIDELINES

Number of persons in the household is considered as to avoid overcrowding these include:

1. All full-time members of a household are counted,
2. All children anticipated to reside in the unit including children expected to be born to pregnant women,
3. Children who are in the process of being adopted by an adult,
4. Children who are subject to a joint custody agreement but who will or is expected to live in the unit at least 50 percent of the time,
5. Foster children who will reside in the unit, and
6. Children who are temporarily absent due to placement in a foster home.

Approved live-in attendants may reside in the unit. However, any additional family members of a live-in attendant will not be allowed to reside in the unit at any time.

Unit size, size of bedrooms and number of bedrooms are considered in the occupancy standard. Occupancy standards for Waipahu Towers are set at:

1. No more than two (2) persons per bedroom
2. One (1) Bedroom = Minimum one (1) person; Maximum four (4) persons
3. Two (2) Bedroom = Minimum two (2) persons; Maximum six (6) persons

SCREENING FOR CREDIT HISTORY

1. Credit reports will be ordered for each Applicant. The credit report will be reviewed to determine the Applicant's history of meeting financial obligations including payments for rent, utilities, loans, revolving credit cards, and other obligations. Applicant's credit history must be acceptable to management before they will be approved to occupy a unit. The credit report will be reviewed to:
 - a. confirm current address;
 - b. confirm credit sources included on the application;
 - c. confirm current and past employment listed on the application; and
 - d. determine whether the Applicant has an acceptable credit history.

Applicants, whose credit histories are unacceptable, will be declined and removed from the waiting list. An unacceptable credit history is one that reflects consistent, past-due payments of more than 90 days; a history of repeated insufficient fund checks; derogatory credit (repossession, foreclosure, judgments, collections, charge-offs, liens, bankruptcy not yet discharged, etc); delinquent or charge off debt due other apartment communities; or unpaid utility company collections which would prohibit applicant from obtaining services. The lack of credit history or past due payments or derogatory credit relating to medical expense or student loans will not be considered as grounds for declining an Applicant.

Consideration will be granted when current credit history demonstrates a pattern of improvement; history of rent payment overshadows other debt issues or Applicant can demonstrate acceptable reasons for credit history. Applicants may wish to provide an explanation that reflects efforts to correct credit deficiencies through payment plans or other work out solutions. If such explanation is acceptable to management, further screening may be conducted and written confirmation of payment plans may be required from the creditor(s). In the event of the rejection of an application based upon credit, the Applicant has 14 days to provide an explanation and request further consideration.

Management will provide instructions on how to obtain the credit report used in determining credit screening approval. It is the Applicant's responsibility to contact the credit reporting agency to resolve any items that have been incorrectly reported.

SCREENING FOR RENTAL HISTORY

1. The applicant must provide the current and previous landlords' names, addresses and phone numbers. Current landlord must be able to verify:
 - a) The applicant's willingness and ability to pay the rent on time,
 - b) The applicant's ability to care for his/her/their current residence,
 - c) The applicant's ability to abide by the Rental Agreement and House Rules of his/her/their current residence.

MDI reserves the right to reject an application solely on the basis of a negative landlord reference.

SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY

All applicant(s) 18 years and older will be required to complete a Certification and Authorization form to have a background check completed. Refusal to complete the Certification and Authorization form will result in automatic cancellation of the application.

Admission will be denied to a person who provides false information on the Certification and Authorization form. This means that if you indicate you have no criminal history but the report we receive shows a criminal history your application will be denied. The following will occur:

1. We will notify you in writing of the denial;
2. We will provide the subject of record and applicant with a copy of the information in which the denial was based on;
3. You will have fourteen (14) days from the date of the letter to respond in writing to request a meeting to dispute the denial.

*Admission to WTC must be denied to a person who engaged in criminal activity within a reasonable time before applying for admission. The time starts after any sentence, including parole, if any, has been completed, so that a reasonable time may pass before determining whether the applicant is a safe risk for admission. In addition, the time period being used is three (3) years.

Owners must deny admission to federally assisted housing if:

1. Any household containing a member(s) who was evicted in the last three (3) years from federally assisted housing for drug-related criminal activity. There are two exceptions to this provision:
 - a) An approved, supervised drug rehabilitation program must have been successfully completed by the evicted household member; or
 - b) The circumstances leading to the eviction no longer exist (ex: the household member no longer lives with the applicant(s) household).
2. Any household member is currently engaging in illegal drug use.

- a. The Owner determines that there is reasonable cause to believe that a household member's illegal use or a pattern of illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. (Examples of evidence of illegal activities may include a conviction record, former landlord references, etc.)
3. Any member of the household is subject to a lifetime registration requirement under a state sex offender registration program. In accordance with Federal law, Owners shall establish standards that prohibit admission to any Federally-assisted property to sex offenders subject to a lifetime registration requirement under a state sex offender registration program. During the admission screening process, the Owner must perform the necessary criminal history background checks in the state where the housing is located and in other states where the household members are known to have resided.
4. The Owner determines that there is reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

In addition, the Owner of a federally-assisted housing have the discretion to prohibit the admission of a household with a household member who is currently engaging in, or has engaged in during a reasonable time before the admission decision in:

1. Drug-related criminal activity;
2. Violent criminal activity;
3. Other criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; or
4. Other criminal activity that would threaten the health or safety of the PHA or Owner or any employee, contractor, subcontractor or agent of the PHA or Owner who is involved in the housing operations.

UNDER HUD GUIDELINES AN APPLICATION MUST BE CANCELLED SHOULD AN APPLICANT MEET ANY ONE OF THE ABOVE PROVISIONS, UNDER THE ABOVE PARAGRAPH (Screening for Drug Abuse and Other Criminal Activity).

SCREENING USING THE EIV EXISTING TENANT SEARCH

MDI will perform an Existing Tenant Search using HUD's Enterprise Income Verification (EIV) system to determine if the applicant or any member of the applicant's household are being assisted under a HUD rental assistance program at another location.

The EIV system is a web-based application which provides owners with employment, wage, unemployment compensation and Social Security benefit information for tenants participating in HUD's assisted housing programs. Information in EIV is derived from computer matching programs initiated by HUD with the Social Security Administration (SSA) and the U.S. Department of Health and Human Services (HHS), for all tenants with valid personal identifying information (name, date of birth, and Social Security number (SSN) reported on the form HUD-50059. Information in the EIV system is used by owners to verify employment and income at the time of recertification and to reduce errors in subsidy payments.

EXTENUATING CIRCUMSTANCES

If denied admission, reasonable accommodations will be considered if you are a person or persons with disabilities and is/are found to have an extenuating circumstance during the screening process. All information will be verified by MDI for reconsideration of the application.

PREFERENCES (HUD Regulatory)

Preference will be given to applicants who have been displaced by government action or a presidential declared disaster. Preferences will be verified at the time the application is submitted. Applicant must provide documentation of such action. The following are acceptable forms of documentation:

1. Copy of local government condemnation or displacement notice; or
2. Copy of government notice stating that the applicant is eligible for disaster relief benefits.
3. A letter from a government agency stating that the applicant is being displaced due to government action or a presidential declared disaster. The letter must be on appropriate agency letterhead.

If a written documentation cannot be obtained then management will verify the preference, by phone (notating date, time and person spoke to) with the appropriate local government agency or disaster relief office.

If there is no available unit at the time the application w/preference is submitted, the applicant will be placed on the waitlist with a notation of preference.

When a unit becomes available, the applicants notated with a preference will have first priority over the applicants on the waiting list that do not have a preference. Applicants with preference must still complete the interview process and meet all eligibility requirements before being offered a unit. Having a preference does not automatically guarantee the applicant a unit.

OPENING AND CLOSING OF THE WAITLIST

If the waitlist should reach an average wait of two years or more, the waitlist will be closed until further notice. A notice to all potential applicants will be posted at the Residents Manager's Office and MDI's office stating that the waitlist is closed and the reason that additional applications will not be accepted.

Upon reopening of the waitlist a notice to all potential applicants will be posted as stated above.

SECURITY DEPOSIT, FIRST MONTH'S RENT & SUBSCRIPTION FEE REQUIREMENTS

Upon move in and signing of lease, tenant will be required to pay the greater of one month's total tenant payment (TTP) or \$50.00.

If tenant moves in any other day of the month other than the first, the rent will be prorated.

Security deposit and first month's rent will be paid by cashier's check or money order ONLY.

*Security deposit monies are held for any charges (if any) that a tenant may incur upon move out.

MOVE-IN/MOVE-OUT INSPECTION REQUIREMENTS

MDI and tenant will jointly inspect the unit before executing a lease. A unit inspection form will be completed indicating the condition of the unit upon move in. This form will be signed by both MDI and tenant. The tenant will receive a signed copy.

If tenant notices any deficiencies in the unit which was not noted during the initial inspection, the tenant will have five (5) days to report them to the Resident Manager and/or MDI. These additional deficiencies will be noted on the move-in inspection form and tenant will receive a copy.

A unit inspection form will also be completed upon a tenant vacating a unit indicating the condition of the unit at move out. It will determine if damages (if any) are the result of wear-and-tear or a result of tenant neglect or abuse. It is recommended that the vacating tenant attend the move-out inspection so that any disagreements regarding damage can be resolved.

Repairs for any damages found to be the result of neglect or abuse will be repaired by MDI and all cost incurred for such repairs will be deducted from Security Deposit monies that are being held.

If the tenant wishes not to attend, the move-out inspection will be completed without the tenant there and the tenant will be notified of charges for any damages, unpaid rent, cleaning etc. (if any) within fourteen (14) days. The tenant will be sent a Retention of Security Deposit letter stating what the security deposit is being withheld for and the amount(s).

The security deposit (minus deductions) will be refunded no later than (14) days after the termination of the rental agreement and/or letter stating reason for deposit pending. Deductions made to security deposit can be made for these reasons:

1. To repair or replace items damaged or missing;
2. To pay for rent due;
3. To replace any keys, cards or locks that were given to you and not returned;
4. To clean the unit;
5. To pay for damages caused by your quitting the unit wrongfully.

If your deposit is not enough to cover all damages and cost, you will be billed for the remaining balance.

ANNUAL UNIT INSPECTIONS

All "in place" tenants will have their units inspected annually by MDI. You will be required to schedule an inspection of your unit during your Annual Recertification.

In addition to the annual inspection by MDI, you may also be notified of annual REAC and/or HUD inspections that are conducted by a representative from REAC and/or HUD and MDI. You will receive a forty-eight (48) hour notice of intent to inspect your unit.

HOUSE RULE CHANGES

All new tenants are given a copy of the house rules upon signing of the occupancy agreement. If any changes are made to the existing house rules, all tenants will be given a written notice 30 days prior to the implementation of the new house rules.

ANNUAL RECERTIFICATIONS

All tenants not paying market rent will be recertified annually to insure that tenants pay rent according to their ability to pay.

Tenant(s) will receive a Reminder Notice 120 days prior to their anniversary date. The anniversary date is the first day of the month that the tenant had moved in (e.g. if a tenant moves in 8/12/14 their anniversary date and/or annual recertification date will be 8/1/15). If there is no response within 30 days after the 120-day notice, the tenant will receive a second reminder notice 90 days prior to their anniversary date. If there is still no response within 30 days of the 90-day notice, the tenant will receive a third and final notice (termination notice) 60 days prior to their anniversary date.

Any tenant who does not recertify by their anniversary date will be charged Market Rent.

Tenant(s) will be required to submit all current household, income and asset information at the time of the annual recertification interview. All tenant(s) 18 years of age and older will be required to sign the consent forms so third-party verifications of income and assets can be verified.

At every annual recertification the tenant will receive a copy of the HUD Fact Sheet which explains how a tenant's rent is calculated. Upon completion of annual recertification interview, the tenant will receive a signed copy of the Consent to Release Information Forms (9887/9887A) and copies of all signed verification forms.

Tenants who pay the market rent are not required to recertify annually, however, if the tenant feels their income may put them at a lower rent, they may request to be recertified. A tenant who does not comply with the recertification process will be found to be non-compliant which will result in termination of their occupancy agreement.

Upon completion of a tenant's annual recertification, the tenant will be notified in writing of the new rent. Tenant(s) will be required to sign the newly executed HUD form 50059 within seven (7) days of receipt of the notice. In the case of a rent increase, the tenant will receive forty-five (45) days' notice as required by the Hawaii Revised Landlord Tenant Code.

INTERIM RECERTIFICATIONS

An interim recertification is done anytime a change occurs between annual recertifications. These are usually changes in income (e.g. no longer employed or becomes employed, etc.) or a change in the household composition (e.g. addition of a child, tenant gets married or divorced, etc.).

Tenants are required to report these changes as they occur to insure that their rent is being calculated correctly based on their household size and income.

UNIT TRANSFER POLICY

Any tenant requesting a unit transfer must submit a request in writing to MDI stating name, unit number and reason for wanting the transfer. Tenant must be current in rent in order for their request to be considered.

The following are valid reason(s) accepted for unit transfers:

1. 1 Bedroom to 2-bedroom transfer - household size has increased (Change in family composition).
2. 2 Bedrooms to 1-bedroom transfer - household size has decreased (Change in family composition).
3. Medical reason certified by a doctor.
4. Request for Accessible unit due to disability.

Any other reason other than the above should be explained and submitted in writing to MDI.

Your request will be processed and you will be notified in writing within seven (7) days of receipt of request as to approval/denial. If no unit is readily available, the tenant's name will be placed on a Unit Transfer Waitlist in order of date request was received until an available unit is open.

Tenants on the Unit Transfer Waitlist will have first priority for filling vacant units in which they are eligible for (ie. appropriate unit size based on household composition, reasonable accommodation request, etc.). If no eligible unit is available, the tenant will remain on the Unit Transfer Waitlist until an eligible unit becomes available. If no in-house transfers are eligible for the vacant unit, MDI will select eligible applicants from the property waitlist. (*See "PROCEDURES FOR TAKING APPLICATIONS AND SELECTING FROM THE WAITING LIST"*)

Reasonable accommodations will be considered if you are a person or persons with disabilities and is/are found to have an extenuating circumstance during the screening process. All information will be verified by MDI.

If a tenant is transferred as a reasonable accommodation due to a disability, the cost associated with the transfer will be paid by the owner unless it will be an undue financial and administrative burden to property.

Tenant will be required to pay a new security deposit when transferring to a new unit. Completion of a check-out inspection will determine the amount of security deposit refund from the previous unit. The security deposit refund (if any) will be refunded within fourteen (14) days from date of move out. All approved "In-House Transfers" will have priority over a new applicant/wait list.

ADDITION OF HOUSEHOLD MEMBER(S)

Any tenant requesting to add an additional household member(s) must submit a request in writing to MDI. The tenant will receive a written notice within seven (7) days from receipt of request as to approval/denial of request. For a request to be considered the tenant must be in good standing (e.g. current on rent etc...). The letter will state what documents will need to be submitted to begin the process.

All applicants 18 years of age or older will be required to complete a Certification/Authorization form to have a background check processed.

If a request is approved, the person wishing to be added must follow the same interview procedures as a new applicant and submit and sign all the necessary paperwork. Failure to supply and sign all the required information will result in automatic cancellation of request.

Any person identified as the following will be denied occupancy:

1. Was evicted from Waipahu Towers for any reason,
2. Nonpayment of any financial obligation to the project,
3. Was found to have engaged in any criminal or drug related activity in, on or near the premises, by any tenant, household member, guest or management, or
4. Was found to have interfered with the health, safety, or right to peaceful enjoyment of the premises by existing tenants or management.

*If a household member moves out of the household and later requests to move back in, he/she will be treated as a new applicant and must follow the procedures as such.

LIVE-IN AIDES

Definition: A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities, and who is determined to be essential to the care and well-being of the person(s); and is not obligated for the support of the person(s); and would not be living in the unit except to provide the necessary supportive services. A relative may be considered as a live-in aide but must meet the above requirements.

The tenant must submit his/her request for a live-in aide in writing to MDI. The tenant will receive an acknowledgement letter within seven (7) days of receipt of the initial request. The following will be required before we can accommodate a request:

The tenant making the request will be required to submit a medical certificate stating such need for a live-in aide. This will be enclosed with the acknowledgement letter and must be signed by the tenant, which will give the authorization to their physician to release information to MDI. The medical certificate must be completed by the physician and forwarded directly to MDI. The following items must also be submitted:

1. The tenant will provide the Landlord with a copy of the Live-in Care Attendant Agreement.
2. The Agreement must specify tasks to be performed by the live-in attendant.
3. Method of payment.
4. Source of payment.

Evaluation procedures:

1. A criminal background check will be done on all prospective live-in attendants.
2. A copy of his/her picture id, social security card and birth certificate must be submitted
3. All documents must be submitted within ten (10) days so we may begin to process the request.

When all requirements are met and found satisfactory, the tenant and the live-in aide will be required to sign an addendum to the Occupancy Agreement.

Live-in aides will be considered when determining unit size but will not be considered when determining income eligibility. There will be only one (1) live-in aide allowed per household. Additional family members (e.g. spouses, children, relatives, friends etc.) of a live-in aide will not be allowed to reside in the unit.

Any person that has been requested as a live-in aide will be required to complete a Certification and Authorization form to have a background check completed. Refusal to complete the Certification and Authorization form will result in automatic denial. (See Screening for Drug Abuse and Other Criminal Activity for reasons of denial.)

Live-in aides are able to be an occupant of the unit as long as the tenant requires such services and as long as the tenant remains in the unit. They must comply with the Occupancy Agreement and house rules of the property and will be required to sign an addendum to the Occupancy Agreement. Any live-in aide found not to comply with the Occupancy Agreement and/or house rules of the property will be evicted and not able to return at any time for any resident as a live-in aide or reside at the property in any capacity.

VAWA PROTECTIONS

An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

Effective December 16, 2016 under the implementation in HUD Housing Programs Final Rule of the Violence Against Women Act (VAWA) of 2013:

- An applicant cannot be denied admission/assistance based on their status as a victim.
- A tenant cannot be terminated from a housing program or evicted from a housing community based on their status as a victim.
- Criminal activity directly related to domestic violence, dating violence, sexual assault or stalking engaged in by a member of the household or guest under control of the tenant cannot be used to terminate tenancy/assistance if the tenant or affiliated individual is a victim.
- Actual or threatened domestic violence, dating violence, sexual assault or stalking shall not be construed as a serious or repeated violation of the lease, or other 'good cause' to terminate assistance/tenancy or occupancy rights for the victim.

The Landlord may request in writing from the victim to certify that the individual is or has been a victim of domestic violence, dating violence, sexual assault or stalking by completing the Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking (Form HUD-5382), or providing other documentation as noted on the certification form and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. If applicant/tenant fails to provide the certification or other supporting and requested documentation within the specified timeframe, the Landlord does not need to grant the applicant/tenant any of the VAWA protections.

The Landlord can evict or terminate assistance of a tenant for any violation of the lease not related to the tenant's status as a victim. If the Landlord can demonstrate actual or imminent threat to other tenants, employees, or service providers, the Landlord is allowed to terminate assistance/evict the tenant if there is no other action that will reduce or eliminate this threat including but not limited to: transferring the victim to another unit, barring the perpetrator from the property; contracting law enforcement; or other legal remedies. When notified of a court order, the housing provider has the right to comply with the court order with respect to the right of access or control of property, including civil protection orders and the distribution or possession of property among members of the household.

CHANGES IN THE TENANT SELECTION PLAN

Whenever changes are made to the tenant selection plan, all "active" applicants on the waitlist will be notified by mail and sent an updated copy of the Tenant Selection Plan. All "potential" applicants will

receive the most current Tenant Selection Plan with their application as part of the application packet. All 'in place', tenants will be notified by mail and sent an updated copy of the Tenant Selection Plan.

WTC does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.