

# Sorrento Towers

2875 Cowley Way, San Diego, CA 92110 • Telephone: (619) 276-1775 TTY: 711

## SECTION 8 / SECTION 236 Elderly or Disabled Housing

### TENANT SELECTION PLAN

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#### **THE PURPOSE OF THE RESIDENT SELECTION PLAN**

The resident selection plan helps to ensure that residents are selected for occupancy in accordance with HUD requirements and established management policies.

Please contact the management office if you need help understanding this document.

Sorrento Towers operates under the Section 8/236 program and the IRS Section 42 (Tax Credit) program, which provides housing for seniors and the disabled, as set forth in its Regulatory Agreement. To qualify for residency, applicants must meet all of the criteria listed on these pages.

#### **BUSINESS RELATIONSHIP**

The relationship between a landlord (owner/agent) and a resident or applicant is a business relationship. A courteous and businesslike attitude is required from both parties. The owner/agent reserves the right not to conduct business with anyone who is verbally abusive, swears, is disrespectful, makes threats, uses discriminatory language, appears to be intoxicated or under the influence of alcohol or drugs, is argumentative, or in general displays an attitude, at any time, which causes the owner/agent or the property staff to believe we would not have a positive business relationship.

If an applicant or any member of the applicant's family demonstrates unprofessional behavior in the presence of the management team or other residents/applicants, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

If the applicant or any member of the applicant's family exhibits threatening behavior, appears to be intoxicated or under the influence of alcohol or illegal drugs or attempts to intimidate the staff, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the application will be rejected.

If the applicant or any member of the applicant's family is not appropriately attired, when visiting the management office, the applicant will be asked to leave. Appropriate attire includes shoes, shirts and pants, shorts or skirts. Unacceptable attire includes, but is not limited to:

- Pajamas
- Bathing suits
- Clothing that allows display of foundation garments (underwear)
- Clothing with inappropriate language or pictures

Animals, (other than assistance animals necessary to allow the applicant/resident to conduct business with the owner/agent) are not allowed in the management office.

Children are always welcome. When in the management office, minors must be supervised. Property staff is not responsible for child care or supervision.

Aside from standard property charges, property staff is not permitted to accept any money, gifts, services or favors connected with the application process or associated with any aspect of residency on this property. If property staff solicits any mandatory payment for any part of the application process, the applicant should notify the property staff or the owner/agent. Please contact:

*Wende J King, President/CEO - Royal Property Management Group, Inc.*

*17150 Via Del Campo, Suite 307, San Diego, CA 92127 Phone (858) 312-8170 - Fax (858) 312-8176*

## **SMOKE FREE HOUSING**

Smoking is prohibited in any area of the property, both private and common, whether enclosed or outdoors. This policy applies to all owners, property staff, applicants, residents, guests, and servicepersons.

“Smoking” shall include the inhaling, exhaling, or carrying of any lighted cigarette, e-cigarette, cigar, pipe, hookah, other tobacco products, marijuana including medical marijuana, herbal smoking products “Legal Weed” or products known as “bath salts” or other legal or illegal substance.

## **USE OF MARIJUANA – FEDERALLY FUNDED PROPERTY**

Regardless of the purpose of legalization under state law, the use of marijuana in any form, is illegal under the Controlled Substances Act (CSA) and therefore is an illegal controlled substance under Section 577 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA). Based on federal law, new admissions of any marijuana user – including people who use medical marijuana - are prohibited.

QHWRA requires that owner/agents establish lease standards that prohibit admission based on the illegal use of controlled substances including state legalized marijuana. State laws that legalize medical marijuana directly conflict with QHWRA and thus are subject to federal preemption.

Residents are prohibited from using marijuana (even in a smokeless manner).

If HUD rules change, the property Resident Selection Plan and the property House Rules may be edited to conform to the policies set forth by HUD.

## **ASSISTANCE DEFINITION**

The property is operating under the guidelines established for the HUD Section 8/236 program and the IRS Section 42 program. A person must be capable of fulfilling the lease requirements. Residents at this property are offered subsidized rent. This means the rent that a household pays is based upon the household income. The paid by residents may vary.

Sorrento Towers offers 196 Studio and One Bedrooms. Household income must be within the low HUD income limits (80% of median income). HUD income limits change annually and vary by household size. The Owner will provide applicants with a copy of the most current income limits upon request.

## **Applicants**

Applicants must be 62 years of age or older (in the case of a two-person household, one person must be 62 years of age or older) or meet the definition of a person with disabilities. The disability and need must be verified unless previously known or obvious. In order to be eligible applicants must meet the eligibility requirements as outlined below.

## **Program Eligibility**

Based on federal regulations, the owner/agent may admit only eligible applicants. In the selection of applicants for admission, eligibility criteria have been established in accordance with HUD guidelines.

The following eligibility standards will be applied in accordance with HUD requirements:

1. The household's annual income must not exceed program income limits at move-in
2. The Head-of-Household (HOH), co-Head-of-Household and the spouse (regardless of age) and all adults in each household must sign an Authorization for Release of Information (HUD Forms 9887 and 9887A) and owner/agent created verification documents prior to receiving assistance and annually thereafter
3. The unit for which the household is applying must be the household's only residence
4. An applicant must agree to pay the rent required by the program under which the applicant will receive assistance
5. Only U.S. citizens or eligible non-citizens may receive assistance (*See additional information below*)
6. Applicants who claim eligible status must disclose Social Security Numbers for all household members and provide proof of the numbers reported (*See additional information below*)
7. The household size must be appropriate for the available apartments (*See Occupancy Standards*)
8. All information reported by the household is subject to verification

## **Citizenship/Immigration Status Requirements**

Federal rental assistance is restricted to U.S. citizens or nationals and non-citizens who have eligible immigration status as determined by HUD. All family members, regardless of age, must declare their citizenship or immigration status at time of application. Non-citizens under 62 must sign a Verification of Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Non-citizens with student visas are ineligible for assistance. (See Attachment "A" for further details, including pro-rated assistance information).

## **Disclosure and Verification of Social Security Numbers**

Applicants must disclose and provide documentation of social security numbers (SSNs) for all household members. SSN requirements do not apply to:

- Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
- Individuals who do not contend eligible immigration status.
- A child under the age of 6 years added to the applicant household within 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 SSN and adequate documentation that the SSN is valid.
- An additional 90 days may be granted under certain circumstances. If the household does not provide the SSN and adequate documentation to verify the SSN within the prescribed timeframe, HUD requires that the owner/agent terminate tenancy. (See attachment "A" for further details and documentation requirements).

## **Secondary Verification of the Social Security Number**

The Social Security Number provided will be compared to the information recorded in the Social Security Administration database through HUD's Enterprise Income Verification System (EIV) to ensure that the Social Security Number, birth date and last name match.

If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any assistance paid in error must be returned to HUD. If the applicant/resident deliberately provides an inaccurate Social Security Number, the owner/agent and/or HUD may pursue additional penalties due to attempted fraud.

## **Occupancy Standards**

Occupancy standards serve to prevent the over-utilization or under-utilization of units that can result in an inefficient use of housing funding. Occupancy standards also ensure that residents are treated fairly and consistently and receive adequate housing space.

Household size must be appropriate for unit (maximum of two persons per bedroom). Reasonable accommodation for a live-in aide may allow an adjustment to this occupancy standard. (See page section for live-in aide eligibility information).

## **Single Residence/Subsidy Criteria**

A household is eligible for assistance only if the unit will be the household's only residence.

**Applicants MUST disclose if they are currently receiving HUD housing assistance.** The Owner will not knowingly provide assistance to applicants who maintain a residence in addition to the HUD-assisted unit. Furthermore, residents cannot receive rental subsidy in two places at the same time. If, for any reason, a resident moves into this property before moving out of another subsidized unit, the new resident will be required to pay market rent until the day after the move out from the previous property is complete. The household assistance in the unit being vacated must end the day before the subsidy begins in a new unit.

There is an exception to this rule. Children in joint custody arrangements can receive HUD housing assistance in two units when both parent/guardian families receive HUD housing assistance. However, only one household may use the \$480 dependent deduction to determine adjusted income. In these cases, additional verification is required.

## **Eligibility of Students Enrolled at an Institute for Higher Education**

Full and part-time students must meet specific criteria to be eligible as head or co-head of household. Student eligibility is determined at move-in/initial certification and at each annual certification. Student eligibility may also be reviewed at interim certification if student status has changed since the last certification. (See Attachment "C" for further details). Section 8 assistance shall not be provided to any individual who:

1. Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential; and
2. Is under the age of 24; 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; 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.

## **PROCEDURES FOR TAKING APPLICATIONS**

It is the owner/agent's policy to accept and process applications in accordance with HUD guidance. The owner/agent will make a reasonable accommodation to assist in the application process if the applicant or any member of the applicant household is disabled. Applications for occupancy may be requested in writing, in person, fax, and phone or by alternative methods such as email/internet.

Upon request, the owner/agent will provide interested parties with a copy of the application package.

The person who is indicated as the Head-of-Household (HOH) must execute and sign all documents that are included in the application package.

Before completing or executing any forms, additional copies should be made for all adult household members and in some cases for minors who will live in the unit.

All adult applicants must complete the application package as instructed.

Applications may be returned by mail, fax, or alternative methods such as email/internet or in person to the building office. All documents in the Application Package must be **completed in full**, signed and dated in order to be accepted.

Applicants **will not** be added to the waiting list until all application forms have been properly completed and signed as appropriate.

## **Incomplete Applications**

Incomplete Application Packages will be returned without consideration.

## **Preliminary Determination of Applicant Eligibility**

Information needed to determine applicant eligibility shall be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD and property eligibility requirements. A preliminary determination of eligibility based on the age of the applicant, citizenship, Social Security Number, and criminal background and sex offender history as indicated in the Background Screening section of the application will be performed. The owner/agent reviews the application to ensure that there are no obvious factors that would make the applicant ineligible.

If determined eligible for the waiting list, the applicant's information will be entered on the waiting list in the order of date and time received. Final eligibility determination will be made at the time a unit becomes available. Applicants on the waiting list must advise the Owner whenever there is a change of address and/or telephone number. The Owner will periodically mail requests for updated information in order to keep the waiting list information current in regards to contact information, family composition, and to confirm the applicant desires to remain on the waiting list. Applicants will be removed from the waiting list if update requests are returned undeliverable as addressed or if an applicant fails to respond within the time period stated in the update request.

## **WAITING LISTS**

When a unit becomes available, the owner/agent will contact the next household on the waiting list (*based on the selection criteria described in this plan*) and the household members will be required to meet with management for an eligibility interview.

No decisions to offer the unit shall be made until all information presented by the applicant has been verified and the final eligibility determination is complete. Applicants will be taken in chronological order except for Income Targeting requirements.

The Owner may choose to close the waiting list when the average wait becomes excessive. Applications will not be accepted if the waiting list is closed. Closure of the waiting list will be advertised in local newspapers in accordance with the building's Affirmative Fair Housing Marketing Plan and HUD regulations.

## **Income Targeting**

HUD requires Owners with Section 8 units to ensure that during a fiscal year at least 40% of the Section 8 units that become available serve extremely low income (ELI) households. When a Section 8 unit becomes available, the Owner may be required to offer the unit to a person or persons who meet the ELI limits. Effective July 1, 2014, HUD's definition of ELI households is those whose incomes do not exceed the higher of:

- The Federal Poverty Level; or
- 30% of the Area Median Income

The Owner will first check the in-house waiting list for tenants who are newly qualified for Section 8 assistance and whose income falls into the ELI limits. If there are no tenants who are eligible, then the Owner will check the general waiting list for those applicants whose income meets the ELI limits. All applicants who are passed by due to higher incomes will remain in the same chronological order on the waiting list.

The above HUD-required income targeting affects only the order of applicants on the waiting list and how they are selected. It does not make persons eligible who would otherwise be ineligible. Once the Income Targeting Requirement is met, the owner/agent will return to the "natural" selection.

## **Preferences**

Applicants with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference. Assigning preferences to applicants who meet certain criteria is a method intended to provide housing opportunities to applicants based upon household circumstances.

Preferences affect only the order applicants are selected from the waiting list. They do not make anyone eligible who was not otherwise eligible. Preferences are not permitted if they, in any way, interfere with affirmative marketing efforts or fair housing requirements. The property does not have any other preferences other than a unit transfer preference or Presidentially declared preference listed below.

**Unit Transfer Preference:** Residents who have submitted a Unit Transfer Request and who are deemed eligible for the transfer are given preference on the waiting list. This means that a resident transferring from one unit to another will be offered a unit before an applicant. See **Unit Transfer Policy** for owner/agent unit transfer criteria.

**Emergency HUD Presidentially Declared Preference:** On occasion, usually in response to a presidentially declared disaster, HUD requests that owner/agents implement a temporary preference for victims. The owner/agent may implement a temporary emergency preference based on requests from the Department of Housing.

If HUD requests that the owner/agent implement such a request, the preference will be in place for a maximum of 30 days from the date of notification to existing applicants.

If such a preference is implemented, applicants who qualify for the preference will receive priority over other applicants/residents with preferences except when a resident has requested a unit transfer because 1) the resident requires the accessibility features of a different unit; or 2) the current unit is too large or too small for the family; or 3) there is a verified medical need for a unit transfer.

### **Verification of Preferences**

All preferences will be verified using the verification methodology described in this resident selection plan.

### **When a Request for Preference is Denied**

If it is determined that an applicant does not meet the criteria for receiving a preference, the applicant will receive written notice of this determination within ten (10) business days.

The notice will contain the reasons for the determination. The applicant has the right to meet with the owner/agent representative to review or appeal the decision.

## **Selecting Applicants from the Waiting List**

Applicants who reach the top of the waiting list will be offered units as they become available. The Owner will schedule an interview and request the applicant to confirm and update all information provided on the original application, bring documents verifying income, SSN, citizenship, and any other information required to verify eligibility status. The Owner will also explain program requirements, verification procedures, and penalties for submitting false information. A final decision on eligibility cannot be made until all verifications are complete.

If the applicant reaches the top of the waiting list and twice rejects a unit offered, the applicant will be canceled from the waiting list. The Owner will consider extenuating circumstances that would allow the applicant to remain on the waiting list in the event the applicant is in a position where he/she feels he/she is unable to accept the first two units offered. If the applicant is a person with disabilities, extenuating circumstances will be considered as a matter of reasonable accommodation. A letter will be sent to the applicant advising him/her/them of the cancellation and the reason(s) for cancellation.

The applicant will have 14 days from the date of the cancellation letter to appeal the decision. If the outcome of the appeal is in the applicant's favor, the applicant will be reinstated in his/her/their original location on the waiting list. Applicants who have been canceled from the waiting list may reapply by submitting a new application, providing the waiting list is open at the time. The applicant will not regain his/her/their position on the waiting list but will be required to restart the process from the beginning.

## **APPLICANT SCREENING CRITERIA**

Screening is performed in a manner that is reasonable, consistent, and complies with fair housing laws. Screening is used to help ensure that households admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes.

**Anyone who wishes to live on the property must be screened prior to moving in.** This includes, but is not limited to, live-in aides, security/police officers or additional household members wishing to move-in after the initial move-in.

All applicants are required to sign Background Screening Consent and Credit Check Consent forms to screen for past or present criminal activity and credit history. Any applicant not willing to consent to a background or credit screening should not complete the application process. All applicants are screened for past or present criminal activity using the screening options provided by Realpages' background screening programs.

## **SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY**

HUD has established standards that prohibit admission of:

1. Any household in which any member was evicted in the last three years from federally assisted housing for drug-related criminal activity or from any housing cause.
2. A household in which any member is currently engaged in illegal use of drugs or for which the owner/agent has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.
3. Admission will be denied if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine or any other illegal drug on the premises of federally-assisted housing or any other felony.
4. Any household member is subject to any state lifetime sex offender registration requirement (household member may be removed) All applicants are screened in all states for sex offender status using the screening options provide by Realpage Lifetime Sex Offender Search program.
5. Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. The screening standards are based on behavior, not the condition of alcoholism or alcohol abuse.

6. Criminal activities resulting in felony convictions involving violence, potential violence, destruction of property or the illegal distribution or manufacture of a controlled substance if the conviction or exit from incarceration occurred within fifteen (15) years. This includes, but is not limited to, the following felonies committed by any household member:
  - a) Murder/Manslaughter
  - b) Burglary
  - c) Arson
  - d) Felony Assault
  - e) Kidnapping
  - f) Terrorist activities
  - g) Sexual offenses, sex crimes
  - h) Crimes involving explosives
7. Criminal activities resulting in felony convictions other than crimes involving violence, potential violence, destruction of property or the illegal distribution or manufacture of a controlled substance (and those listed above) if the conviction or exit from incarceration occurred within ten (10) years
8. A record of three (3) or more felony convictions if the conviction or exit from incarceration occurred within fifteen (15) years  
Criminal activities including misdemeanor offenses involving violence, potential violence, destruction of property or the illegal distribution or manufacture of a controlled substance within five (5) years of conviction or exit from incarceration
9. Criminal activities including other misdemeanor offenses within three (3) years of conviction or exit from incarceration
10. A record of three (3) or more misdemeanor convictions of crimes involving violence, potential violence, destruction of property or the illegal distribution or manufacture of a controlled substance or exit from incarceration for such misdemeanors within ten (10) years of conviction or exit from incarceration (most recent offense)
11. A record of three (3) or more misdemeanor convictions - that do not include misdemeanor convictions for crimes involving violence, potential violence, destruction of property or the illegal distribution or manufacture of a controlled substance - within five (5) years of conviction or exit from incarceration (most recent offense)
12. Sex Offender Registration: Applicant is currently subject to registration under a state sex offender registration program

If the owner/agent discovers an unresolved criminal charge of any criminal activity as described above, the circumstances surrounding the arrest will be investigated.

If there is evidence that the applicant participated in such illegal activity, the owner/agent will meet with the applicant and the other adult household members to determine if the application should be suspended or if the offending party should be removed from the applicant household.

Based on a preponderance of the evidence, if the owner/agent investigation indicates that an applicant participated in criminal activity as described above, the resident will be required to meet with the owner/agent and may be subject to rejection.

13. Admission will be denied if household owes money to any Housing Authority, Apartment Community, or Rental Agent.
14. Admission may be jeopardized if there are one or more accounts showing a complete failure to pay with a current balance due.
15. History of one or more evictions for non-payment of rent or for disruptive and/or aggressive behavior.



## **PROCEDURES FOR REJECTING INELIGIBLE APPLICANTS**

Additional circumstances under which the Owner will reject an applicant for occupancy or assistance include, but are not limited to:

1. Income is over the HUD-established limit for the building;
2. Total tenant rent payment calculated by the Owner using the HUD rent formula exceeds the gross rent of the unit set by the HUD-established rent schedule (applicant does not need the assistance);
3. An applicant's misrepresentation of any information related to eligibility, allowances, household composition, or rent.
4. Adequate information has not been submitted to determine eligibility;
5. Applicant falsifies information on application and/or other documentation required to determine eligibility;
6. Applicant fails to fully and accurately disclose rental history;
7. Unfavorable background screening on applicant is received;
8. Applicant has been evicted from prior residence(s);
9. Applicant exhibits disruptive or aggressive behavior.

As with an ineligibility determination, the applicant household will be given the opportunity to appeal the decision. If the household does not qualify for assistance for any unit on the property, the household will be rejected.

If at a later time, the applicant feels he/she is eligible for assistance, a new application can be submitted, provided the waiting list is still open at the time. If, after preliminary eligibility determination, the household appears to qualify for assistance the application will be added to the waitlist and will be contacted based on the new date and time the application is received.

1. Rejected applicants will receive written notice clearly stating the reason for rejection. The letter will include:
  - Reason for rejection (must conform to the approved criteria); and
  - A statement that the applicant has 14 days to respond in writing or request a meeting to discuss the rejection; and
  - A statement that persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.
2. Any meeting with the applicant or review of the applicant's written response must be conducted by a member of the owner's staff or the management agent's staff who did not make the initial decision to reject the applicant.
3. If the applicant appeals the rejection, the owner must give the applicant a written final decision within five working days of the response or meeting.
4. The following will be kept on site in the project files for at least three years: application, owner's final response, and all interview and verification information upon which the owner based the rejection.

### **Requirement to Sign Consent Forms**

Each household member 18 years of age and older is required to sign the following consent forms at initial occupancy and annually thereafter, regardless of whether the individual is reporting income:

- HUD-9887, Notice and Consent for the Release of Information to HUD and to an Owner and Management Agent (O/A) and to a Public Housing Agency (PHA)
- HUD-9887-A, Applicant's/Resident's Consent to the Release of Information – Verification by Owners of Information Supplied by Individuals Who Apply for Housing Assistance

Each household member 18 years of age and older must sign separate verification documents, as necessary, at initial occupancy and annually thereafter, so the Owner can verify eligibility information. Information to be verified includes, but is not limited to, source and amount of income, medical and pharmacy expenses, life and medical insurance premiums, stock ownership, pension, employment/unemployment, certification of family contributions (statement must be notarized), bank accounts, and any other information necessary to verify eligibility for occupancy and assistance.

If the applicant/tenant or any adult member of the applicant/tenant's household does not sign and submit the consent forms for release of information or the Owner's verification forms, the Owner must deny admission to the applicant or terminate assistance to the tenant.

## **Use of HUD's Enterprise Income Verification System (EIV)**

In addition, HUD provides the Owner with information about an applicant's current status as a HUD housing assistance recipient. The Owner uses HUD's Enterprise Income Verification System (EIV) Existing Tenant Report to determine if the applicant or any member of the applicant household, including a live-in aide, is currently receiving HUD assistance. Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin (see Single Residence Criteria on Page 4). Special consideration applies to minor children where both parents share 50% custody.

If the applicant or any member of the applicant household fails to fully and accurately disclose rental history, the application may be denied based on the applicant's misrepresentation of information.

## **Owner Policies and Practices**

Once an applicant has been approved for occupancy, the Owner will prepare the HUD lease and will review the lease information with the new tenant at the time of signing.

Prior to move-in and lease signing, the Owner and new tenant will perform a unit inspection. The unit inspection provides an opportunity for the Owner to familiarize the tenant with the project and the unit, as well as to document its current condition. The Owner will prepare a Move-in Unit Inspection Report that will be signed and dated by both parties and will become a part of the tenant's lease.

Unit inspections are performed annually by the Owner to determine whether appliances and equipment in the unit are functioning properly and to assess whether repairs or replacements are needed. The Owner also uses the annual inspection as an opportunity to determine any damage caused to the unit by the tenant's abuse or negligence and, if so, to make any necessary repairs and bill the tenant for the cost of the repairs.

Annual physical inspections of the project are also performed by HUD and/or HUD contractors. These physical inspections may require HUD to access a random number of units for inspection. Adequate notice will be given to tenants when HUD inspections will take place.

Upon receipt of a tenant's 30-day notice to vacate a unit, the Owner will schedule an initial inspection, if requested by the tenant, not more than two weeks prior to the move-out date, in conformance with California law. A final unit inspection will be scheduled with the tenant on the move-out date and a Move-out Unit Inspection Report will be prepared by the Owner. If the tenant will not be available for the final inspection, the Owner will perform the inspection on its own.

This report will be used to determine if any damage is considered reasonable wear and tear or if there is excessive damage caused by the tenant's abuse or negligence. Costs to repair damage determined to be caused by the tenant's abuse or negligence will be deducted from the security deposit paid at move-in.

At lease signing, the Owner will collect the first month's rent (pro-rated, if applicable) and a refundable security deposit of an amount up to, but no greater than, one month's total tenant payment. If the tenant has a pet, the Owner will also collect a refundable pet deposit in the amount of \$300.00. The tenant will be required to sign a Security Deposit Agreement and conform with pet rules as outlined in the lease and by the Owner, if applicable.

The Owner will place the security deposit and pet deposit, if applicable, into a segregated, interest-bearing account and will comply with all state and local laws and HUD regulations regarding investment of security and pet deposits and distribution of interest earned.

Within 21 days after the move-out date, the Owner will either:

- Refund the full security deposit and pet deposit, if applicable, plus accrued interest; or
- Provide the tenant with an itemized list of damages to the unit and an estimated cost for repair, in accordance with state and local laws.

All tenants will receive as an attachment to the lease a set of house rules ("Resident Guide"). The Resident Guide identifies allowable and prohibited activities at the project and in the units, provides safety information outlines building office hours, and details other important aspects of residency.

The Resident Guide may be updated periodically to incorporate HUD regulation changes, state and local law changes, and/or to add, delete or clarify important information for tenants. Tenants will receive a 30-day notification of any update, along with a new Resident Guide for their records.

## **Unit Transfer Policy**

Once an applicant has been approved and has moved into his/her/their unit, he/she/they may not move to another unit in the building. The only exceptions are:

Two-person households who no longer wish to live together will not be given an additional unit; however, the departing tenant may apply for a separate unit by completing an application and having his/her name placed chronologically on the general waiting list, providing the waiting list is open at the time.

When a tenant has a medical reason that has been certified by a doctor. The tenant's physician will be required to complete a verification form detailing the reasons behind the request, the benefits that will be derived from the transfer, the requirements of the new unit, and whether there are any alternatives to transferring to a new unit.

When a tenant requires reasonable accommodation.

Tenants with a disabilities will be given priority for an apartment with disability features.

When a tenant who is paying market or contract rent qualifies for assistance under Section 8.

Tenants requesting a unit transfer will be put on an in-house waiting list and will be offered an appropriate unit when one becomes available. Selection will be made in chronological order and will be dependent on the specific requirements of the tenant and the attributes of the available unit. Tenants on in-house waiting lists will be selected before applicants on the general waiting list.

## **Changes in Family Composition**

Periodically, family composition changes after initial occupancy.

A live-in aide is classified as a person who lives with one or more elderly persons, near-elderly persons, or persons with disabilities, and who:

- Is determined to be essential to the care and wellbeing of the person(s);
- 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.

The live-in aide is eligible for occupancy only as long as the individual needing supportive services requires the aide's services and remains a tenant, and does not qualify for continued occupancy as a remaining household member.

If the qualifying person in the household leaves the unit, a determination must be made as to whether the remaining member of the household will be eligible to receive assistance or remain in the unit.

In the event of the death of the qualifying household member, the following requirements for eligibility must be met for a person to qualify as a remaining member of a household:

- The individual must have been a party to the lease and living in the assisted unit with the now deceased member of the household at the time of his/her death.

In this case, the remaining member is eligible to remain in the unit but must pay rent based on his/her income.

If the individual who established eligibility leaves the unit for any reason other than death, the Owner must determine if the individual still residing in the unit meets the eligibility requirements for the project by verifying income and age. If the individual is not eligible for the project, he/she may not receive rental assistance and must pay contract rent.

## **Compliance with the Violence against Women Act - (VAWA)**

Tenants and family members of tenants who are victims of domestic violence, dating violence, sexual assault, or stalking are protected by the VAWA from being evicted or from housing assistance being terminated because of the acts of violence against them.

If the tenant has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the tenant may submit written proof of this outreach and/or he/she may complete a Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking form, Form HUD-5382, within 14 business days of the Owner's request, or any extension of that date provided by the Owner. If the certification or other supporting documentation is not provided within the specified time frame, the Owner may begin eviction proceedings.

The identity of the victim and all information provided to Owner will be retained in confidence and will not be entered into any shared database or provided to a related entity except to the extent that the disclosure is:

- Requested or consented to by the individual in writing;
- Required for use in an eviction proceeding; or
- Otherwise required by applicable law.

Owners will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault, or stalking in a separate file that is kept in a separate secure location from other tenant files.

Assistance may be terminated or a lease "bifurcated" in order to remove an offending household member from the unit. Whether or not the individual is a signatory to the lease and lawful tenant, if he/she engages in a criminal act of physical violence against family members or others, he/she stands to be evicted, removed or have his/her occupancy rights terminated. This action will be taken while allowing the victim, who is a tenant or a lawful occupant, to remain.

It is possible for someone lawfully occupying the unit, who is also a victim, to be evicted or removed from the unit. If the victim commits separate criminal activity, the Owner may evict him/her for engaging in crime. Furthermore, if a victim poses "an actual and imminent threat to other tenants or those employed at or providing service to the property," he/she can be evicted despite the VAWA.

Owners must provide the Notice of Occupancy Rights under the Violence Against Women Act to Section 8 and Section 236 tenants which outlines their rights and obligations under VAWA (protection from Domestic Violence, Dating Violence, Stalking and Sexual Assault) at the following:

When an individual is denied residency;

When an individual is admitted to a dwelling unit; and

With any notification of eviction or termination of assistance.

Tenants will be required to sign a VAWA lease addendum.

An Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault and Stalking has been created for residents at Sorrento Tower. (See Attachment "D" for further details).

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## **Compliance with Section 504, the Fair Housing Act Amendments of 1988, Title VI of the Civil Rights Act of 1964, and Other Housing Discrimination Laws**

In conformance with **Section 504 of the Rehabilitation Act of 1973**, reasonable accommodation or modification to common areas or apartments will be made as necessary to assist persons with disabilities, unless these changes will change the fundamental nature of the project or result in undue financial or administrative burden (See Attachment "B" for further details regarding reasonable accommodation.) Section 504 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance.

In conformance with the **Fair Housing Act Amendments of 1988**, the Unruh Civil Rights Act, and the California Fair Employment and Housing Act (FEHA), the Owner will not discriminate in its housing and housing related policies and procedures based on race, color, religion, sex, sexual orientation, gender identity, marital status, national origin, ancestry, disability, age, genetic information, familial status, arbitrary factors, or source of income, as well as other protected classes. The Fair Housing Act applies to housing regardless of federal financial assistance.

In conformance with **Title VI of the Civil Rights Act of 1964**, the Owner will not discriminate based on race, color or national origin in any program or activity at or in relation to the building. The owner/agent complies with Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance from HUD.

**In conformance with the Equal Access to Housing in HUD programs** Regardless of Sexual Orientation or Gender Identity rule, the Owner/Agent will ensure that housing is open and available to all eligible individuals regardless of actual or perceive sexual orientation, gender identity, or marital status. The Owner/Agent will also ensure that it will not inquire about sexual orientation or gender identity or marital status of an applicant or occupant for the purposes of determining eligibility or otherwise making such housing available. HUD's core housing programs are open to all eligible persons regardless of sexual orientation, gender identity or marital status in accordance with **The Equal Access Rule**.

## **Annual and Interim Recertification Requirements**

The Owner will conduct annual recertifications based on a tenant's lease date in order to ensure that assisted tenants pay rents commensurate with their ability to pay. The tenant must supply information requested by the Owner or HUD for use in the regularly scheduled recertifications. The Owner will then recompute the tenant's rent and assistance payment, if applicable, based on the information gathered. The tenant will be required to sign consent forms and third-party verification forms so the Owner may gather the following information:

- Reported family annual income;
- Value of family assets;
- Expenses related to deductions from annual income; and
- Other factors that affect the determination of adjusted income.

Interim recertifications may be performed when changes affecting the tenant's ability to pay rent occur between annual scheduled recertifications. All tenants must notify the Owner when:

- A family member moves out of the unit;
- The tenant proposes to move a new household member into the unit (certification and screening criteria would apply);
- A household member who was reported as unemployed on the most recent certification or recertification obtains employment; or
- The household income cumulatively increases by \$200 or more per month;

Tenants may request an interim recertification due to changes occurring between annual scheduled recertifications that may affect the tenant rent or assistance payment. Changes a tenant may report include:

- Decrease in income including, but not limited to, loss of employment, reduction in number of hours worked by an employed household member, loss or reduction of welfare income;
- Increases in allowances including, but not limited to, increased medical expenses;
- Other changes affecting the calculation of a household's annual or adjusted income including, but not limited to, a person becoming disabled.

The Owner must also process an interim recertification if the tenant verifies a change in family composition or a change in citizenship or eligible immigration status of any household member.

The Owner may refuse to process an interim recertification when the tenant reports a decrease in income if:

- The decrease was caused by a deliberate action of the tenant to avoid paying rent;
- The Owner has confirmation that the decrease will last less than one month;
- A tenant receives welfare assistance in an as-paid welfare program when the Public Assistance Agency reduces the tenant's shelter and utility allowance because it is greater than the tenant's actual rent;

The Owner may delay processing an interim recertification if there is confirmation that a tenant's income will be partially or fully restored within two months. The processing may be delayed until the new income is known.

## **Opening and Closing the Waiting List**

Sorrento Towers may use the lottery method when re-opening its waiting list due to the high volume of applications it receives. Advertising in local newspapers and notifications will include specific instructions for submitting entries for the lottery, including how to obtain an entry form, acceptable ways to submit the entry form (in person, mail, fax or

email), the submission deadline date and the date of the drawing. Applicants are not required to attend the drawing. Names will be placed on the waiting list in the order in which they are drawn. Application packets will be sent to those whose names are drawn and must be returned by the specified date or their names will be removed from the list. Final determination of eligibility to remain on the waiting list will be made once the application has been returned and reviewed.

When the Owner decides to re-open the waiting list, instructions will be advertised in local newspapers in accordance with the building's Affirmative Fair Housing Marketing Plan and HUD regulations.

## **SECURITY DEPOSIT REQUIREMENTS**

The owner/agent must collect a security deposit at the time of the initial lease execution. The owner/agent will comply with any HUD rules and applicable state and local laws governing the security deposit. The security deposit amount is based on the Total Tenant Payment (TTP) calculated at move in.

If the move-in certification is corrected, and the TTP is recalculated, the security deposit requirement will be recalculated as well. Otherwise, the amount of the security deposit established at move-in does not change when a resident's rent changes. The resident is expected to pay the security deposit from his/her own resources and/or other public or private sources.

An applicant will be rejected if he/she does not have sufficient funds to pay the deposit. When a tenant requests a unit transfer the security deposit will be recalculated based on the Total Tenant Payment (TTP).

## **PETS**

Pets must be approved before they are allowed in the unit. Residents must agree to pay the required pet deposit, if applicable and must agree to abide by the property's Pet Rules. A Copy of the Pet Rules is available upon move-in or upon request.

If an applicant wishes to request approval of an assistance animal – necessary to alleviate the symptoms or side-effects of a disability - the applicant (or applicant's representative) must request a reasonable accommodation. Please review the process to request a reasonable accommodation in Appendix A. The applicant should also review the Assistance Animal Policy which is available upon request. Residents, guests and service providers will be required to comply with the Assistance Animal Rules.

## **Availability of the Tenant Selection Plan**

This Tenant Selection Plan is always available in the building office and a copy will be provided to any interested party. A notice will be mailed to all applicants on the waiting list advising when modifications affecting applicant eligibility have been made to the Tenant Selection Plan and that a copy of the updated Plan will be provided on request.



# Attachment "A"

## Documentation Requirements

### Citizenship Eligibility

All applicants will be required to submit evidence of citizenship or eligible immigration status at the time of application. Assistance may be prorated, denied or terminated if any or all household members are determined ineligible for assistance.

- U.S. citizens must sign a declaration of citizenship.
- Non-citizens aged 62 and older must sign a declaration of eligible immigration status and provide a proof of age document;
- Non-citizens under age 62 claiming eligible status must submit:
  - a. A signed declaration of eligible immigration status;
  - b. A signed consent form; and
  - c. One of the DHS-approved documents, a list of which will be provided by the Owner.

Non-citizens not claiming eligible immigration status may elect to sign a statement that they acknowledge their ineligibility for assistance.

Applicants must submit required documentation of citizenship/immigration status no later than the date the Owner initiates verification of other eligibility factors. Citizen or non-citizen eligibility verification will be done first using the Systematic Alien Verification for Entitlements (SAVE) system through the DHS. The applicant's citizenship/immigration status is determined prior to move-in.

If the applicant cannot supply the documentation within the specified time frame, the Owner may grant the applicant an extension of not more than 30 days, but only if the applicant certifies that the documentation is temporarily unavailable and additional time is needed to collect and submit the required documentation.

If the household member(s) has submitted his/her immigration documentation in a timely manner but the DHS verification or appeals process has not been completed, the Owner will not delay assistance.

If the applicant reaches the top of the waiting list and a unit becomes available, and at least one household member has submitted the required documentation and has been determined to be eligible, the Owner will offer the household a unit and provide full assistance to those household members whose immigration documents were submitted on time. If any household member did not provide the required immigration documentation, then the assistance for the household will be prorated.

Once the Owner has determined citizenship/immigration status of a household receiving assistance prior to completion of the verification or appeal process, the Owner must:

- a. Provide full assistance to a household that has established eligibility of all members; Offer continued prorated assistance to a mixed household, or temporary deferral of termination of assistance if the household does not accept the offer of prorated assistance; or
- b. Offer temporary deferral of termination of assistance to an ineligible household. At the end of the deferral period the household must either pay market rent or vacate the unit.

### Social Security Number (SSN)

Acceptable documentation is the original Social Security card issued by the Social Security Administration (SSA) or, in the case of individuals who have applied for legalization under the Immigration Reform and Control Act of 1986, a letter from the DHS indicating that social security numbers have been assigned. In the event any member of the household does not have the original documentation, other acceptable evidence of the SSN is as follows:

- An original document issued by a federal or state government agency, which shows the name and SSN along with other identifying information; or
- Driver's license with SSN; or
- Earnings statement on a payroll stub with SSN; or
- Bank statement that shows the SSN; or
- Form 1099; or
- Retirement benefit letter that shows the SSN; or
- ID card issued by a medical insurance provider, an employer or trade union that shows the SSN; or
- Social Security Benefit Award Letter or Proof of Income Letter; or
- Life insurance policy or court records that show the SSN

Any individual who submits documentation from the above list must provide written certification that the document is complete and accurate.

If all non-exempt household members have not disclosed and/or provided verification of their SSNs at the time a unit becomes available, the next eligible applicant must be offered the available unit.

The applicant who has not disclosed and/or provided verification of SSNs for the non-exempt members of the household will have 90 days from the date he/she/they were first offered an available unit to disclose and/or verify SSNs. During this 90-day period, Applicant may, at his/her/their discretion, retain his/her/their place on the waiting list. After 90 days, if Applicant is unable to disclose/verify SSNs for all non-exempt household members, Applicant will be determined ineligible and removed from the waiting list.

To apply for a Social Security Number, report a lost card, or if incorrect information is on the card, submit a **Form SS-5: Application for a SS Card** to the Social Security Administration.





# Attachment "B"

## Reasonable Accommodation

### Section 504 of the Rehabilitation Act of 1973

In addition to the Owner's affirmative obligation to operate properties in a non-discriminatory manner and the specific requirements to make properties physically accessible to persons with disabilities, Owners must also consider requests for reasonable accommodation from applicants and tenants with disabilities.

A reasonable accommodation is a change, exception or adjustment to a rule, policy, practice or procedure, common area, or dwelling unit that will allow a qualified person with a disability to:

- Participate in or have access to activities conducted or sponsored by the Owner;
- Use and enjoy common areas of the building; or
- Live as comfortable as possible in a unit.

The applicant/resident with a disability must show that the accommodation or modification being requested will improve his/her life enough to justify the cost to the Owner. There must be some connection between the disability and the requested accommodation. The request should be submitted in writing by the person with the disability, a family member, someone acting on the individual's behalf, or the Owner will assist the applicant/resident in preparing the written request.

In the event a request is refused because it is not reasonable for the Owner to provide the accommodation, the Owner will make every effort to work with the requester to determine if there is an alternative accommodation that would adequately address the requester's disability-related needs and be reasonable for the Owner.

The Owner is not required to take any action that would result in a fundamental alteration in the nature of the program. A fundamental alteration is a change so significant that it alters the essential nature of the Owner's operations. An example would be to request the Owner to provide 24-hour nursing care when this service is not provided in the housing offered. The Owner must allow the tenant to secure his/her own care, but the Owner would not be required to provide the service at its expense.

If providing such accommodation would result in an undue financial and administrative burden, the Owner will

take other action available that would not result in an undue burden.

The determination of undue financial and administrative burden will be made on a case-by-case basis involving various factors, such as the cost of the reasonable accommodation, the financial resources of the Owner, the benefits the accommodation would provide to the requester, and the availability of alternative accommodations that would adequately meet the requester's disability-related needs.

The Owner is not required to make structural changes that would impose an undue financial and administrative burden, even if alternatives to making housing programs or activities readily accessible to and usable by persons with disabilities are not effective.

When a request for a reasonable accommodation will result in an undue financial and administrative burden, the Owner will provide all other needed accommodations up to the point at which further accommodations will result in an undue financial and administrative burden.

Assistance animals are animals that work, provide assistance, or perform tasks for the benefit of a person with a disability. Assistance animals perform disability-related functions, including but not limited to, guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing minimal protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have disability-related need for such support.

The fact that a person has a disability does not automatically entitle him/her to an assistance animal. There must be a relationship between the person's disability and his or her need for the animal.

Although assistance animals are not considered pets, the Owner may charge the tenant for the cost of repairing any damage the assistance animal causes to the unit or the common areas, if the Owner regularly charges tenants for damage they cause to the premises



## Attachment "C"

### Independent Student Eligibility

1. Owners must determine a student's eligibility for Section 8 assistance at move-in, annual recertification, initial certification (when an in-place tenant begins receiving Section 8), and at the time of an interim recertification if one of the family composition changes reported is that a household member is enrolled as a student.
2. Section 8 assistance shall not be provided to any individual who:
  - a. 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
  - b. Is not living with his or her parents who are receiving Section 8 assistance; and
  - c. 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. (See paragraph 3-33 for verifying parents' eligibility.)

**NOTE:** 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.
3. For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate the absence of, or his or her independence from, parents. While owners may use additional criteria for determining the student's independence from parents, owners must use, and the student must meet, at a minimum all of the following criteria to be eligible for Section 8 assistance. The student must meet one or more of the following criteria:
  - a. The individual is 24 years of age or older by December 31 of the award year;
  - b. The individual 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;
  - c. the individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's state of legal residence;
  - d. The individual is a veteran of the Armed Forces of the United States or is currently serving on active duty in the Armed Forces for other than training purposes;
  - e. The individual is a graduate or professional student;
  - f. The individual is a married individual;
  - g. The individual has legal dependents other than a spouse;
  - h. The individual 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 unaccompanied, at risk of homelessness, and self-supporting by:
    - A local educational agency homeless liaison;
    - The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
    - The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or the designee of the director;
    - A financial aid coordinator.
  - i. The individual is a student whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstance.

4. Any 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 any other required fees and charges, is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance. (See Glossary for expanded definition of Student Financial Assistance.)
5. If an ineligible student is a member of an applicant household or an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated in accordance with the guidance in paragraph 8-6 A.



## Attachment "D"

# Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

### Emergency Transfers

Sorrento Tower is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA), Sorrento Tower allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.<sup>2</sup> The ability of Sorrento Tower to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether Sorrento Tower has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that Section 8/ Section 236 is in compliance with VAWA.

### Eligibility for Emergency Transfers

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit.

If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

### Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify Sorrento Tower management office and submit a written request for a transfer to another available and safe unit covered under the same assistance program at Sorrento Tower. Sorrento Tower will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under Sorrento Towers's program; OR

<sup>1</sup> Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

<sup>2</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

### **Confidentiality**

Sorrento Tower will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives Sorrento Towers written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person(s) that committed an act(s) of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the *Notice of Occupancy Rights under the Violence Against Women Act For All Tenants* for more information about Sorrento Towers responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

### **Emergency Transfer Timing and Availability**

Sorrento Tower cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. Sorrento Tower will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. Sorrento Tower may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If Sorrento Tower has no safe and available units for which a tenant who needs an emergency is eligible, Sorrento Tower will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, Sorrento Tower will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

### **Safety and Security of Tenants**

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the *National Domestic Violence Hotline* at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the *Rape, Abuse & Incest National Network's National Sexual Assault Hotline* at 1-800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>.

Tenants who are or have been victims of stalking seeking help may visit the *National Center for Victims of Crime's Stalking Resource Center* at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

**Attachment:** Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.

LOCAL ORGANIZATIONS OFFERING ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING.

**LOS ANGELES COUNTY**

For help regarding an abusive relationship, you may contact **Los Angeles County Domestic Violence Safety Plan Hotline at (800) 978-3600 or Los Angeles County District Attorney's Office at (800) 380-3811.**

Victims of stalking seeking help may contact **Los Angeles County District Attorney's Bureau of Victim Services at (800) 380-3811 or contact your local police department.**

For help regarding sexual assault, you may contact **Peace Over Violence Rape and Battering 24-hour Hotlines at (626) 793-3385, (310) 392-8381 or (213) 626-3393.**

**ORANGE COUNTY**

For help regarding an abusive relationship, you may contact the following Hotlines: **Human Options at (877) 854-3594, Interval House at (800) 978-3600, Laura's House at (949) 498-1511, or Women Transitional Living at (714) 992-1931.**

Tenants who are or have been victims of stalking seeking help may contact the **Victims of Crime Resource Center at (800) 842-8467 or contact your local police department.**

For help regarding sexual assault, you may contact **Community Service Programs 24-hour Hotlines at (714) 957-2737 or (949) 831-9110.**

**RIVERSIDE COUNTY**

For help regarding an abusive relationship, you may contact **Alternatives to Domestic Violence Hotline at (800) 339-7233 or Option House 24-hour Hotline at (909) 381-1602.**

Tenants who are or have been victims of stalking seeking help may contact **Victims of Crime Resource Center at (800) 842-8467 or contact your local police department.**

For help regarding sexual assault, you may contact **Riverside Area Rape Crisis Center 24-hour Hotline at (951) 686-7273.**

**SAN BERNARDINO COUNTY**

For help regarding an abusive relationship, you may contact **House of Ruth 24-hour Hotline at (877) 988-5559 or Option House 24-hour Hotline at (909) 381-1602.**

Victims of stalking seeking help may contact **San Bernardino Victim Service Center at (909) 382-3846 or contact your local police department.**

For help regarding sexual assault, you may contact **San Bernardino Victim Service Center at (909) 382-3846.**

## LOCAL ORGANIZATIONS OFFERING ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING.

### **SAN DIEGO COUNTY**

For help regarding an abusive relationship, you may contact **Center for Community Solutions at (858) 272-1767, the YWCA's Battered Women's Services at (619) 234-3164, or San Diego County Domestic Violence 24 hour hotline at 1-888-DVLINKS (1-888-385-4657). All services are 24-hour hotlines that are staffed with persons who can evaluate situations and make referrals for counseling, legal assistance, shelters, support groups, etc.**

Victims of stalking seeking help may contact **San Diego County District Attorney Stalking Unit's Stalking Information Line 619-515-8900 or contact your local police department.**

For help regarding sexual assault, you may contact **Battered Women's Services (24-hour hotline) (619) 234-3164, Center for Community Solutions (Rape/Domestic Violence) (24-hour Hotline), or EYE Counseling & Crisis Services (North County 24-hour Hotline) (858) 486-4998 or (760) 747-6281.**

For information on assistance regarding sexual assault, go to <https://www.sandiego.gov/police/services/prevention/victimresources/sexualassault/>.

### **SANTA BARBARA COUNTY**

For help regarding an abusive relationship, you may contact **Domestic Violence Solutions 24-hour Hotline at (805) 964-5245.**

Tenants who are or have been victims of stalking seeking help may contact **Victims of Crime Resource Center at (800) 842-8467 or contact your local police department.**

For help regarding sexual assault, you may contact **Santa Barbara Rape Crisis Center 24-hour Hotline at (805) 564-3696**