



IPSWICH HOUSING AUTHORITY

One Agawam Village

Ipswich, MA 01938

Phone: (978) 356-2860 Fax: (978) 356-7715

TENANT SELECTION PLAN

Agawam Village

August 8, 2023

Adopted September 18, 2018

Updated:
August 8, 2023
February 14, 2023
June 14, 2022

1. INTRODUCTION

This Tenant Selection Plan (the “Plan”) for Agawam Village (the “Development”), a 94 unit housing development located in Ipswich, has been prepared by the Ipswich Housing Authority (“IHA”). Admission to the 80 one bedroom units are limited to elderly or disabled persons and admission to the 14 townhouse units are limited to families as provided in this Plan.

The Development is currently the recipient of a federal rental housing subsidy under the Section 8 New Construction program. Under the Section 8 New Construction and Substantial Rehabilitation subsidy programs, repealed by Congress in 1983, the U.S. Department of Housing and Development (“HUD”) provided (upon application) Section 8 project-based assistance to public housing authorities (PHAs) or private owners for up to 20 or 40 years after completion of the construction or substantial rehabilitation of rental housing. The Section 8 financial assistance provided a monthly subsidy that helped bridge the gap between the rents needed to make a project feasible and the rents affordable to the tenants. Financing was provided by commercial lending institutions and often insured by HUD through the Federal Housing Administration (FHA) or a State Housing Finance Agency. HUD has not approved any new projects since 1983, but projects approved prior to that time (such as Agawam Village) may still receive subsidy. Currently, MassHousing has been selected by HUD to administer the Section 8 New Construction contract for the Development.

IHA plans to seek additional assistance for the Development through the federal Low Income Housing Tax Credit (“LIHTC”) program for 91 of the 94 units at the Development.

The Plan is designed to be consistent with the Affordable Housing Use Agreement for Agawam Village as well as the requirements for the Section 8 New Construction program and the Low Income Housing Tax Credit program.

The Plan is designed to promote fairness and uniformity in the selection of tenants for subsidized units, and to promote efficiency in the application process for subsidized units. One of the principal elements of the Plan is that it allows the IHA to make a preliminary determination of eligibility based on the applicant’s self-certification of income and preference and priority status. Initial acceptance of the applicant’s self-certification allows the IHA to focus on other administrative duties, rather than investing significant staff time in verifying such information at initial application and once again when the applicant is accepted from the waiting list. The election for preliminary determination of eligibility and suitability by the IHA should only be exercised if the anticipated waiting period for a unit offer exceeds ninety days. In most cases, the waiting period exceeds ninety days, warranting the effort to save staff time by making a preliminary determination of eligibility and suitability.

2. ELEMENTS OF THE TENANT SELECTION PLAN

A. Right to Apply

No person may be refused the right to apply for housing unless the IHA has been notified that

the Development's waiting list is closed for a particular unit size or type, and notice of the closed waiting list has been posted in a prominent, accessible location.

B. Statement of Non-discrimination

It is the policy of the IHA to promote equal opportunity and nondiscrimination in compliance with, but not limited to, the federal and state constitutions and legislative enactments addressing discrimination in housing. These enactments include: The Fair Housing Amendments Act of 1988, 42 U.S.C.A. §§3601-3620, as modified by the Housing for Older Americans Act of 1995, 42 U.S.C.A §3607(b)(2)(C), Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A §794 et seq., The Americans with Disabilities Act of 1990, 42 U.S.C.A. §§12101-12213, Title VI of the Civil Rights Act of 1964, 42 U.S.C.A §2000d, the Age Discrimination Act of 1975, 42 U.S.C.A. §§6101-6107, Executive Order 11,063, Chapter 151B of the Massachusetts General Laws, and the Massachusetts Equal Rights Law, M.G.L. c 93, §103. In furtherance of this policy:

In carrying out the Plan, the IHA shall not discriminate on the basis of race, color, creed, religion, national or ethnic origin, citizenship, ancestry, class, sex, sexual orientation, familial status, disability, military/veteran status, source of income, age or other basis prohibited by local, state or federal law in any aspect of tenant selection or matters related to continued occupancy. The IHA shall affirmatively market to minorities and persons with disabilities.

Applicants with Disabilities and Reasonable Accommodations: The IHA shall make reasonable accommodations in policies or reasonable modifications of common areas or unit premises for all applicants with disabilities (as defined in the above listed Acts or any subsequent legislation) who require such changes to have equal access to any aspect of the application process or to the Development and its programs and services. The IHA shall, for example, arrange for sign language interpreters or other communication aids for interviews during the application process.

Appointments for an application or for reasonable accommodations, including materials in alternate formats, may be made by contacting the site office:

One Agawam Village
Ipswich, MA 01938
P. 978 356 2860
F. 978 356 7715

C. Limited English Proficiency

It is the policy of the IHA to provide, without charge, interpreters and/or translators to assist those applicants who have limited English proficiency with all steps of the application process through placement at the Development or appeal (and continuing for those who become tenants to ensure meaningful access to the Development and its programs).

3. ELIGIBILITY AND SUITABILITY REQUIREMENTS

To be considered for selection, applicants must submit a completed application and relevant consent forms. To determine threshold eligibility, IHA will accept the self-certifications on the application. Third party verification of eligibility and priorities/preferences, and the screening (including verification) for suitability shall not be required until final screening for occupancy. The IHA must verify the information needed to determine an applicant's eligibility within 90 days prior to the IHA's approval of the tenancy.

A. Eligibility Requirements

To be eligible for admission to the Development, households must meet the criteria of the subsidizing program as set forth below:

(i) Citizenship/Immigration Status Requirements. At least one household member must be a U.S. Citizen or be a non-citizen as defined by HUD. (See 24 C.F.R. 5.500 et seq. and HUD Memorandum dated December 15, 2016 on eligibility of battered noncitizen self-petitioners).

(ii) Maximum Income. Household annual income must not exceed current income limits for the program to which application is made. For the Section 8 New Construction program, the income limit is 80% of the Standard Metropolitan Statistical Area income for the Boston area. For the LIHTC program, the income limit for admission is 60% of the Standard Metropolitan Statistical Area income for the Boston Area (and for continued occupancy the income limit is 140% of 60% of the then Standard Metropolitan Statistical Area income for the Boston Area).

(iii) Household Characteristics. Household characteristics, such as the number, age, relationship and gender of family members, must be appropriate to the size of the unit and adaptations made therein. For the 90 one bedroom units, the applicant must be a person with disabilities or elderly and for the 14 townhouse units, the applicant must be a family. See appendix 1 for definitions and occupancy standards.

(iv) Student Status. Section 8 Developments are restricted from providing assistance to students enrolled in institutions of higher education (either full or part time) who meet the criteria set forth in 24 CFR 5.612. The LIHTC program also prohibits assistance to certain students under a different set of rules.

(v) Proof of Social Security Numbers for Household Members. The IHA shall require that the Applicant provide social security numbers (SSN) for all non-exempt household members.

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

household members before they can be housed.

B. Tenant Suitability Requirements

When an applicant is near the top of the waiting list, the IHA shall screen for suitability based on the following criteria. IHA may only reject an applicant for the following reasons:

- 1) Within the past five years, the applicant or a household member has disturbed a neighbor(s) in a prior residence by behavior, which if repeated by a tenant at the Development, would substantially interfere with the rights of other tenants to peaceful enjoyment of their units or the rights of IHA employees to a safe and secure workplace.
- 2) Within the past five years, the applicant or a household member has caused damage or destruction of property at a prior residence, and such damage or destruction of property, if repeated by a tenant at the Development, has a material adverse effect on the Development or any unit in the Development.
- 3) Within the past five years, the applicant or a household member has displayed living habits or poor housekeeping habits at a prior residence, and such living habits or poor housekeeping, if repeated by a tenant at the Development, would pose a substantial threat to the health or safety of the tenant, other tenants, or the IHA employees or would adversely affect the decent, safe and sanitary condition of all or part of the Development or any unit in the Development.
- 4) Within the past five years, the applicant or a household member has engaged in criminal activity, activity in violation of M.G.L. c. 151B, § 4, or abuse of alcohol which if repeated by a tenant at the Development would interfere with or threaten the rights of other tenants or IHA employees to be secure in their persons or in their property or with the rights of other tenants to the peaceful enjoyment of their units and the common areas of the Development.
- 5) Within the past five years, the applicant or a household member who will be assuming part of the rent obligation has a history of nonpayment of rent and such nonpayment, if repeated by a tenant at the Development, would cause monetary loss; provided however, if the applicant or household member paid at least 50% of their household's monthly income for rent each month during a tenancy but was unable to pay the full rent, an eviction for nonpayment of rent shall not qualify the applicant under this subsection.
- 6) Within the past five years, the applicant or household member has a history of failure to meet material lease provisions or the equivalent at one or more prior residences, and such failure, if repeated by a tenant of the Development would be detrimental to the IHA or to the health, safety, security or peaceful enjoyment of other tenants or IHA employees.

- 7) The applicant or household member has failed to provide information reasonably necessary for the IHA to process the applicant's application.
- 8) The applicant or household member has misrepresented or falsified any information required to be submitted as part of the applicant's application or a prior application within a year, and the applicant fails to establish that the misrepresentation or falsification was unintentional.
- 9) The applicant or household member has directed abusive or threatening behavior which was unreasonable and unwarranted towards an IHA employee during the application process or any prior application process within three years.
- 10) The applicant or household member does not intend to occupy the unit at the Development, if offered, as their primary residence.
- 11) The applicant or a household member is a current illegal user of one or more controlled substances as defined in M.G.L. c. 94C, § 1. A person's illegal use of a controlled substance within the preceding 12 months shall create a presumption that such person is a current illegal user of a controlled substance, but the presumption may be overcome by a convincing showing that the person has permanently ceased all illegal use of controlled substances.
- 12) The applicant or a household member is subject to a lifetime registration requirement under a state sex offender registration reprogram.
- 13) The applicant or a household member was evicted for drug-related criminal activity from federally housing assisted housing during the last 3 years (unless the evicted household member who engaged in the drug-related criminal activity has successfully completed an approved supervised drug rehabilitation program or the circumstances leading to the eviction no longer exist (e.g. the criminal household member has died or is imprisoned)).

IHA must reject an applicant for reasons (B) (12) and (13) and has discretion to reject an applicant for the remaining reasons (B)(1) – (11).

IHA shall apply the Tenant Suitability criteria uniformly to all applicants to prevent discrimination and avoid fair housing violations. Any costs of screening shall not be charged to the applicant, but shall be borne by the IHA as an operating expense.

C. Mitigating Factors

Prior to rejecting an applicant for the reasons listed in (B)(1) – (11) above, the IHA shall permit the applicant to show mitigating circumstances, which may include a showing of rehabilitation or rehabilitating efforts, sufficient so that when the potentially disqualifying behavior is weighed

against the mitigating circumstances, IHA is reasonable certain that the applicant or household member will not engage in any similar conduct in the future. In making this this determination, the IHA shall consider all relevant circumstances including:

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

The greater degree of danger, if any, to the health, safety and security of others or to the security of property of others or the physical condition of the housing, the greater must be the strength of showing that a recurrence of the behavior, which would have been disqualifying, will not occur in the future.

Pursuant to the *Violence Against Women Act* (42 U.S.C. 1437f and 42 U.S.C. 1437d) and regulations promulgated in accordance therewith at 24 CFR Part 5, Subpart L, admission to the Development shall not be denied on the basis that the applicant or household member is or has been a victim of domestic violence, dating violence or stalking, as defined in the aforementioned regulations, if the applicant or household member otherwise qualifies for admission.

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

- (As applicable) There is no current illegal use, which includes activity within the last year, of controlled substances. If such use is documented, applicants must present evidence that such use has stopped and is unlikely to recur.
- (As applicable) There is no current abuse of alcohol, which includes abuse within the last year, and abuse is unlikely to recur.
- During the period for which the applicant has claimed no current use, the applicant's behavior as a tenant must have been acceptable.

In any case of confirmed, continued, unacceptable tenancy-related behavior, despite the cessation of drugs or alcohol use, an applicant may be rejected if such behavior meets one of the reasons listed in B above.

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

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

D. Screening Procedures

To obtain information about an applicant's Eligibility and Tenant Suitability criteria, the IHA shall secure background information as follows:

(i) Record of Prior Criminal History. In gathering such record of prior criminal history, the IHA or its IHA(s) may obtain Criminal Offender Record Information (CORI) reports as part of the tenant selection process, but access and use of the CORI reports are subject to the provisions of 803 CMR 2.00 et seq. The IHA should ensure that none of the information obtained is collected or disseminated in violation of state or federal law.

(ii) Sex Offender Registration Status. The IHA shall obtain information necessary to determine if the applicant or any household member is subject to registration with the Massachusetts Sex Offender Registry Board, pursuant to M.G.L. c. 6 Section 178C et seq., or a lifetime registration requirement under any state sex offender registration program. The IHA may verify the information provided by the applicant by searching the Dru Sjodin National Sex Offender Database (located at <http://www.nsopw.gov>) as recommended and in the manner set forth in HUD Notice H 2009-11.

(iii) Verification of Citizenship/Immigration

(iv) Enterprise Income Verification (EIV) Existing Tenant Search

(v) As required by HUD Notices H 09-20 and H 10-08, issued pursuant to 24 CFR 5.233, the IHA shall conduct an Existing Tenant Search in EIV, and use the information contained in the Existing Tenant Search Report, to determine if the applicant or any applicant household members are currently receiving HUD housing assistance (i.e. residing at another HUD Multifamily Housing or Public and Indian Housing (PIH) location).

(vi) References from landlords in the last five years where available. In absence of landlord reference(s), the IHA shall accept other documentation (e.g. personal references, home visit) that address the information sought in the IHA landlord reference form.

(vii) Verification of income either from a present employer, appropriate agency, financial institution or other appropriate party.

(viii) Verification of a disability to determine whether a family or person meets the definition of disability used to determine eligibility for occupancy at the Development or for preferences, or to identify applicant needs for features of accessible units or reasonable accommodations. The IHA may not specifically ask for or verify the nature and extent of the disability. There are ways to verify disability status without obtaining detailed information or information that must not be collected.

Verification of disability may be obtained through a third-party verification form sent by the IHA to an appropriate source of information, including but not limited to the individual's physician, care worker of the elderly, social worker, psychiatrist, or the Veterans Administration. If a third-party form is used, it must be signed by the Applicant authorizing the release of such information to the IHA. The form should provide the definitions of disability used to determine eligibility and rent, and should request that the source completing the form identify whether the Applicant meets the definition. In this way the IHA is not required to make any judgments about whether a condition is considered a disability, and shall not have prohibited information. Receipt of social security disability payments may be adequate verification of an individual's disability status for housing subsidy programs using the Social Security's definition for a person with disabilities.

(xiv) Verification of satisfactory past performance in meeting financial obligations including but not limited to payment of rent and utility bills. In the absence of five (5) years of positive landlord history applicants may use a credit report showing 5 years of positive credit.

4. PRIORITIES AND PREFERENCES

This Section describes the preferences and priorities that shall be applied in the selection of residents under the Plan. Applicants with preferences and/or priorities are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference and/or priority. Preferences and priorities affect only the order of applicants on the waiting list. They do not make anyone eligible and suitable who was not otherwise eligible and suitable.

The IHA shall inform each applicant about available preferences and priorities and provide an opportunity for each applicant to show that they qualify for available preferences and priorities.

A. Priorities (in descending order):

1st Priority - Displacement by Natural Forces: An applicant who has been displaced by:

- (i) fire not due to the negligence or intentional act of applicant or a household member;
- (ii) earthquake, flood or other natural cause; or

(iii) a disaster declared or otherwise formally recognized under disaster relief laws.

2nd Priority - Displacement by Public Action (Urban Renewal): An applicant who will be displaced within 90 days, or has been displaced within the three years prior to application, by:

- (i) any low rent housing project as defined in M.G. L. c. 121B, § 1, or
- (ii) a public slum clearance or urban renewal project initiated after January 1, 1947, or
- (iii) other public improvements.

3rd Priority - Displacement by Public Action (Sanitary Code Violations): An applicant who is being displaced, or has been displaced within 90 days prior to application, by enforcement of minimum standards of fitness for human habitation established by the State Sanitary Code or local ordinances, provided that:

- (i) neither the applicant nor a household member has caused or substantially contributed to the cause of enforcement proceedings; and
- (ii) the applicant has pursued available ways to remedy the situation by seeking assistance through the courts or appropriate administrative or enforcement agencies.

4th Priority – Housing Situation: An applicant who has been displaced or is imminently faced with displacement from their primary residence and who meets the following:

- I) Is without a place to live, about to be without a place to live, or is otherwise living in a situation in which there is a significant immediate and direct threat to the life or safety of the applicant or a household member which situation would be alleviated by placement in an appropriate unit at the Development; and
- II) Has made reasonable efforts to locate alternative housing; and
- III) Has not caused or substantially contributed to the safety- or life-threatening situation; and
- IV) Has pursued available ways to prevent or avoid the safety- or life-threatening situation by seeking assistance through the courts or appropriate administrative or enforcement agencies; and
- V) Is displaced or about to be displaced by one of the following
 - a) No Fault: Any cause other than the fault of the applicant or household member including but not limited to evictions for condominium conversion, rehabilitation of the property, landlord's desire for unit for own use, or other reasons not the fault of the tenant or household member; or
 - b) Medical Emergency: Applicant or household member suffers from an illness or injury posing a severe and medically documented threat to life or safety which has been significantly caused by lack of suitable housing or as to which the lack of suitable housing is a substantial impediment to treatment or recovery; or
 - c) Abusive Situation: Applicant or household member is a victim of

abuse as defined in the Abuse Prevention Act (G.L. c. 209A, § 1) which abusive constitutes a significant and direct threat to life or safety (including inability to pay rent due to the abusive household member's actions). The Abuse Prevention Act defines "abuse" as the occurrence of one or more of the following acts between "family or household members": (1) attempting to cause or causing physical harm; (2) placing another in fear of serious physical harm; or (3) causing another to engage involuntarily in sexual relations by force, threat or duress. "Family or household members" are individuals who are related by blood or marriage have a child together, or who now or formerly resided in the same household or dated each other.

5th Priority – Standard Applicant: An applicant who does not fit within any of the previous 4 priority categories.

B. Preferences

IHA shall apply the following preferences in descending order within each of the above priority categories in determining the order of tenant selection:

Veteran – Any person who is a veteran as defined in M.G.L. c. 4, section 7, clause 43 and shall include spouse, surviving spouse, parent, or other dependent of such person.

Local Resident - A person who has a principal residence or place of employment in Ipswich at the time of application. If an applicant is temporarily residing with relatives or friends or in a shelter or place not meant for human habitation (in Ipswich or elsewhere), the applicant will meet the definition of "local resident" only if the person's last residence and domicile was in Ipswich. Documentation of residency must be provided, and includes but is not limited to rent receipts, utility bills, street listing or voter registration.

NOTE: All preferences must comply with non-discrimination, equal opportunity, and Fair Housing requirements, and the Development's Affirmative Fair Marketing Plan must demonstrate what efforts will be taken to prevent a disparate impact or discriminatory effect on non-local residents of protected classes.

5. INCOME TARGETING

The IHA will achieve its income targeting in the following manner:

No less than forty percent (40%) of the assisted units that become available in each of the IHA's fiscal years will be available for leasing to families whose income does not exceed thirty percent

(30%) of the Boston area median income (“extremely low income”) at the time of admission.

No more than fifty percent (50%) of the assisted units that become available in each of the IHA’s fiscal years will be available for leasing to families whose income does not exceed fifty percent (50%) of the Boston area median income (“very low income”) at the time of admission.

No more than ten percent (10%) of the assisted units that become available in each of the IHA’s fiscal years will be available for leasing to families whose income does not exceed eighty percent (80%) of the Boston area median income (“low income”) at the time of admission.

The IHA is now subject to a low-income housing tax credit regulatory agreement (TCRA) as well. The TCRA requires that 91 of the units be made available for leasing to families whose income does not exceed sixty percent (60%) of the Boston area median income. The TCRA further requires that thirteen (13) of those ninety-one (91) units be made available for leasing to families whose income does not exceed thirty percent (30%) of the Boston area median income.

Notwithstanding the targeting allowances defined above, IHA will accept and approve applications from qualified applicants as those applications are received. This has historically resulted in a resident population that is predominantly extremely low income. The IHA will not adjust its outreach or tenant selection protocols to achieve higher levels of very low income or low income residents.

The IHA will periodically review the composition of admissions to confirm that the 40% target shall be met for that fiscal year. If this periodic review reveals that admissions of extremely low-income applicants are below the requirement, the IHA shall do the following to ensure that the requirement is met by the end of the fiscal year:

Admit only extremely low-income families until the 40% target is met. In chronological order, the IHA shall select eligible applicants from the waiting list whose incomes are at or below the extremely low-income limit to fill the first 40% of expected vacancies in the property. Once this target has been reached, admit applicants in waiting list order.

6. APPLICATION TO HOUSING

A. Application forms shall be distributed and accepted in the manner(s) indicated below:

By mail or in person at:

Ipswich Housing Authority
One Agawam Village
Ipswich, MA 01938

B. The application form shall at a minimum:

- solicit all the necessary information to determine eligibility;
- provide the opportunity to state the need or desire for an accessible unit;
- provide notice of the right to a reasonable accommodation of a disability;
- include the Equal Opportunity logo and slogan, as well as the Accessibility logo, if required;
- include the non-discrimination statement;
- provide the opportunity to indicate eligibility for a priority and preference; and
- include a notice that the IHA shall communicate with the applicant in the manner or format requested by the applicant if necessary because of a disability.

All members of the household and any Live-In Aide must be listed on the application form. In addition to the application form, the IHA shall also obtain the applicant's consent to obtain third-party verifications or references. Household members 18 years or older must sign (i) releases to conduct criminal and landlord history references (ii) Notice and Consent for the Release of Information (Form HUD 9887), and (iii) Applicant's/Tenant's Consent for the Release of Information (Form HUD 9887A). Any Live-in Aide shall also sign a release for IHA to conduct a criminal history check.

C. Failure to respond within 14 days to the IHA's requests for documentation or information to process the application shall result in rejection of the application. The IHA may make exceptions to the procedures described herein to take into account circumstances beyond the applicant's control.

D. The IHA shall offer assistance to the applicant in completing the application, explain the tenant selection process, define priorities and preferences, and explain the verification process with respect to priorities and preferences.

E. Confidentiality and Privacy

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

The IHA shall not disclose any personal information contained in its records to any persons or agencies other than MassHousing or other authorized government agencies unless the individual about whom information is requested has given written consent to such disclosure, or unless disclosure is otherwise in accordance with provisions of the state or federal privacy acts.

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

F. Processing of Applications.

In general, applications shall be processed in accordance with the following steps:

1. Receiving and Recording – Upon receipt of an application to housing, the IHA shall indicate on the application the date and time received, either by using a date and time stamp, or by writing and initialing the date and time received.
2. Review for completeness - Applications shall first be reviewed for completeness. Incomplete applications shall be rejected and returned to the applicant. Applications shall not be evaluated until all of the required information has been provided.
3. Preliminary determination of program ineligibility - Completed applications shall be reviewed for income eligibility and compliance with any categorical eligibility requirements for the program, such as age or disability and income. Applications determined ineligible shall be rejected in accordance with procedures outlined herein.
4. Preliminary determination of program eligibility - When there are more applicants on the waiting list than units currently available, and the anticipated duration of the waiting list exceeds ninety days, the IHA shall make a preliminary determination of eligibility, based on the applicant's self-certified statement as to his or her income, assets, age, and disability status. Applicant shall be notified of the status of his/her application in accordance with procedures outlined herein. If the applicant claims a priority or preference, the IHA shall obtain documentation of that and make a prompt determination of the priority and preference and so notify the applicant of its determination.
5. Waiting list placement - Once a fully completed application is determined to meet income eligibility requirements and the household composition is determined appropriate for a unit at the Development, the applicant shall be placed on the appropriate waiting list(s). Assignment to a position on the waiting list shall be based on the preliminary determination, and shall be formally verified as the applicant's name advances on the waiting list. However, if the anticipated duration on the waiting list is less than 90 days, formal verification shall be required immediately. The applicant shall be placed on the waiting list, by date of receipt of the completed application within the correct income category and then within the correct preference and priority categories as applicable. Applicants eligible for handicapped accessible units must be placed on lists for both accessible and standard units.
6. Formal verification – If, subsequent to the preliminary determination of eligibility, the IHA determines that the formal verification of income, assets, or claimed priority and/or preference status differs from the applicant's self-certification, the applicant may be:
 - (i) reassigned to another waiting list (i.e. smaller or larger bedroom size);
 - (ii) reassigned to a different preference and/or priority status; or
 - (iii) determined ineligible.

Applicants shall be notified of any of these actions in accordance with the procedures outlined herein.

G. Notification of Decision on Application

The IHA shall send a written response to the applicant advising such applicant of the status of the application. The response shall be mailed not more than 14 days from the date of receipt of the application. Alternate formats for responding to an applicant with a disability shall be provided upon applicant's request.

H. Provisions Relating to Rejection of an Application or other Adverse Action

If, at any time, the applicant is found not eligible or suitable, denied the preference or priority claimed on the application, or is not placed on the requested waitlist for any other reason, the IHA shall notify the applicant in writing of the following within 7 days of such determination:

- the complete reason(s) for the rejection or other action in sufficient detail to prepare a rebuttal and including the facts and list of any documents supporting such reason(s);
- notice that the applicant or his or her representative, prior to or at the conference with the IHA, has the right to inspect the documentation on the basis of which the rejection was made and any other documentation pertinent to the applicant's eligibility, suitability, qualification or entitlement to priority or preference status. The IHA shall make reasonable arrangements for photocopying any such documentation as the applicant may specify with sufficient advance notice.
- notice that the applicant has fourteen days from receipt of the notice to respond in writing or request a conference with the IHA to dispute the rejection or other adverse action;
- notice that the applicant has the right to request a reasonable accommodation if the applicant believes that, with such an accommodation, the applicant would be suitable for admission and that the applicant was rejected for a reason arising from the applicant's disability; and
- notice that applicant may contact Northeast Legal Aid for assistance (and include its contact information).

If the applicant requests the conference with IHA (within the 14 days or such longer time for good cause shown), the conference will be held as soon as possible by a person who did not make the initial determination. The IHA representative shall present its case and explain its position or action. The applicant may then present their case and explain why they disagree with the IHA's decision. The person conducting the conference shall then issue a written

decision within 5 business days of the conference, with the decision summarizing the facts and explaining the reasoning for the decision. If the applicant is aggrieved by the decision, the applicant may further appeal to the IHA Board of Commissioners who shall promptly hold a hearing. There shall be no review by the Mass. Department of Housing and Community Development.

7. WAITING LISTS

A. The IHA shall establish and administer its Waiting Lists in accordance with the following policies.

1. Waiting lists shall be maintained on a computer report.
2. Waiting lists must include the following data taken from the application:
 - (a) Date and time the applicant submitted the application;
 - (b) Name of the head of household;
 - (c) Annual income level (used to estimate levels for income-targeting i.e. extremely low-income, very low-income, low-income and moderate income);
 - (d) Identification of the need for an accessible unit, including the need for accessible feature i.e. visually or hearing impaired;
 - (e) Preference and priority status; and
 - (f) Unit size.

B. Organization of Waiting Lists.

Wait lists shall be organized by type of unit (LIHTC or non-LIHTC, physically adapted unit, elderly/disabled and family, and bedroom size). A separate list is required for every type of unit.

Each applicant must be placed on the appropriate waiting list(s) chronologically according to the date and time of the completed application within the applicable preference and priority categories.

If an applicant is eligible for tenancy, but no appropriately sized unit is available, the IHA shall place the applicant on a waiting list. Households that are eligible for more than one size of unit (by bedroom size) may choose to be placed on multiple waiting lists, as appropriate, and the IHA shall respect the bedroom size option chosen by the applicant unless such choice violates the state sanitary code, other applicable laws, or the Development's Occupancy Standards (set forth in Appendix 1). Persons using a wheelchair or requiring similar accommodations may apply for a standard unit, as well as an accessible unit, at their discretion.

The IHA's records shall indicate the date the applicant is placed on the waiting list. Whenever a change is made in the waiting list, an action is taken, or an activity specific to an applicant occurs, a notation must be made on the waiting list. In instances where the applicant asks to be

passed over until the next vacancy (for non-medical reasons), the IHA may allow the applicant to retain his position on the waiting list. However, an applicant's failure to accept the next available vacancy shall result in the applicant being placed on the waiting list as if the application had been received on the date of the second refusal.

The IHA should contact applicants in writing as needed to verify continued interest in remaining on the Development's waiting list. The IHA may require interested applicants to contact the Development in order to remain on the waiting list, and may remove from the waiting list those applicants who do not respond within thirty (30) days.

The waiting list may be closed for a specific unit size or type if the projected turnover rate indicates that an applicant would be unable to obtain a unit within one year. Thereafter, the IHA shall post a notice at the Development that indicates: (a) the date the list will be closing and (b) IHA telephone number, fax number and TDD number for verification. Notice must be in 14 point (or larger) print and in an accessible location(s). The IHA shall further post on its website and publish a notice in a publication likely to be read by potential applicants stating that the Development will no longer accept applications and the reasons therefore.

When an applicant pool is not large enough to warrant the closure of the waiting list, the list shall be reopened. The public notice should include rules for applying and the order in which applications will be processed.

NOTE: Prior to removing an applicant's name from the waiting list, the IHA shall send written notice of the action, or notice in requested alternate format, to the applicant, at the applicant's address of record, or to any person designated by the applicant to receive a copy of such notices as a form of reasonable accommodation or as noted in the Supplement to Application for Federally Assisted Housing (form HUD-92006).

The status of waiting lists (i.e. whether open or closed) shall be reported, upon change but not less frequently than once every twelve months, to the Massachusetts Accessible Housing Registry (MassAccess).

8. VACANCIES

A. Internal Transfer Waitlist

In filling vacant units, the IHA shall first offer current residents the option to relocate to another unit in the Development, provided such residents meet one of the following transfer conditions:

- Residents are housed in overcrowded conditions and have requested a larger unit appropriate for their household size;
- Residents are housed in units providing a greater number of bedrooms than warranted for their household size (such transfers are not volitional, and refusal to relocate by the household shall result in termination from the subsidy program upon thirty days' notice);
- Residents who require the features of an accessible unit, or require the features of another

unit as necessary to provide a reasonable accommodation, provided that verification of the need has been made by the IHA; and

- Residents who occupy, but do not need the features, of an accessible unit if another resident or applicant needs an accessible unit (such transfers are not volitional, and refusal to relocate by the household shall result in termination from the subsidy program upon thirty days notice).
- Upon request, the IHA will consider transfer requests from residents who are the victim of domestic violence, dating violence, sexual assault and/or stalking. The IHA may ask residents to provide documentation or a written request. To qualify for an emergency transfer residents must certify that they reasonably believe that they are threatened with imminent harm from further violence if they remain in their current unit. To accommodate VAWA transfer requests the IHA may offer a transfer to another unit at Agawam Village or to assist with putting the resident on the Housing Choice Voucher Waitlist with a VAWA preference.

The IHA shall maintain a formal waiting list for current residents seeking to relocate to other units pursuant to these conditions. When a vacancy occurs, the IHA shall determine if a transfer is warranted from the internal waiting list before proceeding to the external waiting list to select an applicant for the vacant unit. Waitlist will be organized by the date that the application to transfer was approved by the IHA.

B. Filling of Vacancies

In the event that there are no current residents of the Development to fill the vacant unit, the IHA shall offer the vacant unit to the next eligible/qualified applicant for that unit type found on the waiting list.

1. The IHA must retain current applications as long as their status on the waiting list is active.
2. Once the applicant is taken off the waiting list, the IHA must retain the application, initial rejection notice, applicant reply, copy of the IHA's final response, and all documentation supporting the reason for removal from the list for three years.
3. When an Applicant moves in, the IHA must retain the application, supporting documentation (including the IHA's verification efforts) for the duration of the tenancy and for three years after the tenant leaves the property (except that any CORI is destroyed in accordance with the applicable regulations).
4. The IHA must maintain the applicant and tenant information in a way to ensure confidentiality. The confidentiality of records containing criminal background checks and other personal information are regulated by state and federal law and carry penalties for negligent disclosure and improper use. The IHA should consult with counsel to ensure compliance with state and federal record retention laws.

9. LEASE

Upon the offer and acceptance of a unit at the Development, the applicant and IHA shall

execute the lease and addenda. These are:

- I) HUD Model Lease for Subsidized Programs (form HUD-90195a (12/07)) with
 - a. Attachment No. 1 – Owner’s Certification of Compliance with HUD’s Tenant Eligibility and Rent Procedures
 - b. Attachment No. 2 – Unit Inspection Report
 - c. Attachment No. 3 – House Rules (which are substantially similar to the IHA’s current “Section XIX- Rules and Policies”)
- II) HUD Lease Addendum – VAWA (form HUD-91067)(9/2008)
- III) Addendum to the Model Lease for Subsidized Programs for Agawam Village (1/5/2023) attached as Appendix 2 to this Plan
- IV) IHA Grievance Procedure (1/10/2023) attached as Appendix 3 to this Plan

10. MISCELLANEOUS

A. Modification of HUD Tenant Selection Requirements

The IHA acknowledges that HUD may, from time to time, modify the requirements of its tenant selection regulations or policies. The IHA agrees to amend the Plan to satisfy any such required changes after posting a description of the proposed changes on its website and main office and providing current tenants with notice and the opportunity to comment in advance of the adoption of such amendments.

B. Review and Modification of Tenant Selection Plan

The IHA shall review periodically the Plan for compliance HUD Regulations and Subsidy Program Requirements. The IHA may modify the Plan and the policies related to the selection of tenants at any time so long as it is consistent with the Affordable Housing Use Agreement and so long as the IHA posts a description of the proposed changes on its website and main office; provides Northeast Legal Aid and current tenants with notice and the opportunity to comment in advance of the adoption of such amendments; and considers all comments received.

C. Plan Available to Public Upon Request

The IHA shall make copies of the Plan available to the public, including Applicants and residents of the Development, upon request. It shall also post this Plan on its website.

List of Appendices

Appendix 1: Definitions and Occupancy Standards

Appendix 2: Addendum to the Model Lease for Subsidized Programs for Agawam Village

Appendix 3: Ipswich Housing Authority Grievance Policy

Appendix 4: Agawam Village Sample Advertisement

Appendix 5: Agawam Village Application

Appendix 6: Agawam Village Housing Offer

Appendix 7: Agawam Village Application Rejection Letter

Appendix 8: Agawam Village Application Receipt

Appendix 9: LIHTC Lease Addendum

Definitions and Occupancy Standards

Disabled Family: A family whose head, spouse, or sole member is a person with a disability. A person with disability (for admission purposes) is found at Definition E of Figure 3-6 of HUD Handbook 4350.3 Rev-1 (pages 3-49 and 3-50).

Elderly Family: A family whose head, spouse, or sole member is a person who is at least 62 years of age.

Family: A family consists of

- (1) one person
- (2) two or more persons who live or will live regularly in a unit as their primary residence
 - a. whose income and resources are available to meet the household's needs; and
 - b. who are either (i) related by blood, marriage, or operation or law or (ii) who have otherwise evidenced a stable interdependent relationship.

A household member shall be considered to be living regularly with a family if temporarily absent for reasons such as hospitalization, duty assignment, employment or school attendance in another location. See HUD Handbook 4350.3 Rev -1 for other persons who are not living in the unit but who count as a household member.
- (3) two or more disabled persons
- (4) the remaining member of a tenant family (and, if the remaining member(s) is a minor, then the family includes a caretaker screened and approved by IHA in accordance with this Plan).

Occupancy Standards

In general, there will be a minimum of one person per bedroom and a maximum of two persons per bedroom. The following principles govern the size of the apartment for which an applicant will qualify:

- a. Children (18 years of age or younger) of the same sex are required to share a bedroom.
- b. Children (18 years of age or younger) of opposite sexes are not required to share a bedroom but may elect to share.
- c. Adults (eighteen (18) and over) who are spouses (or in a similar living arrangement) are required to share a bedroom.
- d. Adults (eighteen (18) and over) who are not spouses (or in a similar living arrangement) are not required to share a bedroom, but may elect to share.
- e. A separate bedroom will be assigned where warranted as a reasonable accommodation to a person's disability.

Addendum to the Model Lease for Subsidized Programs for Agawam Village

The following are additional terms of the attached Model Lease. In case of any conflict between this Addendum and any other provision of the Lease, the provisions of this Addendum will prevail.

1. The Ipswich Housing Authority's Grievance Procedure attached hereto shall apply to Tenant's occupation of the premises.
2. Prior to the commencement of the eviction process, the Landlord must serve the tenant with a detailed pre-termination notice with an offer of an informal settlement conference and the right to request a grievance hearing (as provided in the Grievance Procedure). The Landlord may proceed with an eviction (by serving a notice to quit), only after the Grievance Panel/Single Hearing Officer upholds the proposed termination; the Tenant does not file a grievance within the required deadline (seven days from the tenant's receipt of the pre-termination notice); or if the alleged grounds for eviction are exempt from the Grievance Procedure under M.G.L. c. 121B, § 32, paragraph 7).
3. The parties have additional rights and obligations set forth in the Affordable Housing Use Agreement recorded at the Registry of Deeds. This provides, in part, that,

Section 3 (b) ... (i) the resident's grievance rights pertaining to individual circumstances of the tenant shall include the right to notice of owner action sufficient to prepare a defense, good cause prior to termination of tenancy, the right to file a grievance, a fair hearing before persons not involved in the initial decision, the right to examination of all evidence and the right to present evidence, the right to bring an advocate or attorney to the hearing, and a written decision on the grievance specifying the facts and conclusions based on the evidence submitted at the hearing and (ii) good cause for eviction shall not include an eviction for any criminal conduct, by tenant or a household member or guest, where the tenant could not have foreseen the misconduct, or was unable to prevent it by any available means.

LANDLORD,

TENANT(S)

January 5, 2023

Ipswich Housing Authority Grievance Procedure

General Overview

A. The Department of Housing and Community and Development (DHCD) regulations (760 CMR 6.08) require each local housing authority (LHA) to have a grievance procedure of which the purpose shall be the prompt and reliable determination of grievances. The procedure must be available to state--aided public housing tenants, participants in the Massachusetts Rental Voucher Program (MRVP) and the Alternative Housing Voucher Program (AHVP), and to individuals who file appeals pursuant to 760 CMR 8.00 (Privacy and Confidentiality). This policy is applicable to our Federally Assisted Sites and as such where applicable HUD regulations apply to the grievance being considered.

B. A grievance is defined as: (1) an allegation that an LHA or an LHA employee has acted or failed to act in accordance with the tenant's lease or any statute, regulation, or rule regarding the conditions of tenancy and the alleged action or failure to act has adversely affected the status, rights, duties or welfare of the grievant and/or a household member; (2) an allegation that an LHA or an LHA employee has acted or failed to act in accordance with any statute, regulation, or rule regarding the program and that the alleged action or failure to act has adversely affected the status, rights, duties, or welfare of the grievant or a household member; or (3) an appeal by a data subject pursuant to 760 CMR 8.00.

C. The meaning of a statute, regulation or rule shall not be the subject of a grievance. A dispute between a tenant and another tenant or household member, in which the LHA is not involved, shall not be the subject of a grievance. A grievance shall not be filed by a tenant on behalf of another tenant or any household member of another tenant.

2. Initiation of a Grievance

A. A grievance regarding whether good cause exists for terminating a lease shall be initiated by a tenant in writing and shall be mailed (postmarked) or delivered to the Ipswich Housing Authority (IHA) at its main office within seven (7) days after a notice of lease termination has been given to the tenant by the IHA.

B. A grievance regarding whether cause exists for terminating participation in the MRVP or AHVP shall be initiated by a program participant, in writing, and shall be mailed (postmarked) or delivered to the IHA at its main office within seven (7) days after a notice of program termination has been given to the tenant by the IHA.

C. A grievance regarding some other matter shall be initiated by a grievant in writing and shall be mailed (postmarked) or delivered to the IHA at its main office no more than fourteen (14) days after the date on which the grievant first became aware or should have become aware of

the subject matter of the grievance provided the IHA shall have discretion to permit a grievance to be initiated late.

D. In the event that a tenant files a grievance as to the amount of a redetermined rent within fourteen (14) days of the IHA's notice of the redetermined rent, the tenant shall continue to pay the rent then in effect (unless the redetermined rent is lower) until final disposition of the grievance. Upon final disposition of the grievance, the tenant shall pay any additional amounts determined to have been due but not paid since the effective date set out in the notice of redetermined rent or the IHA shall credit the tenant with any amounts paid but determined not to have been due.

Informal Settlement Conference

Promptly after the initiation of a grievance, unless otherwise provided, the IHA's Executive Director or his/her designee shall give the grievant the opportunity to discuss the grievance informally in an attempt to settle the grievance without the necessity of a grievance hearing. The IHA shall give reasonable advance notice to the grievant and his/her representative (if any) of a time and place for an informal settlement conference, unless such a conference shall have taken place when the grievance was delivered to the IHA. At the informal settlement conference, the IHA and the grievant may be represented by a lawyer or by a non-lawyer. If the grievance is resolved at the informal settlement conference, the IHA and grievant shall acknowledge the terms of the resolution in writing. If the grievance is not resolved at the informal settlement conference, a grievance hearing shall be held. Failure to attend an informal settlement conference shall not affect a grievant's right to a grievance hearing.

Right to a Hearing

Upon filing of a written request as provided herein, a complainant shall be entitled to a hearing before the grievance hearing panel, except that the Authority excludes from the grievance procedure any action concerning an eviction or termination of tenancy based upon a threat to the health and safety of other tenants or Authority employees. No grievance hearing shall be requested or held under any of the circumstances specified as in M.G.L.c.121B, sec. 32, including but not limited to the following:

1. In the event of non-payment of rent;
2. In the event the IHA has reason to believe that tenant or a household member or guest:
 - a. has unlawfully caused serious physical harm to another tenant or an employee of the IHA or any other person lawfully on the IHA's property;
 - b. has unlawfully threatened to cause serious physical harm to any member of a tenant household or an IHA employee or any person lawfully on the IHA's property;
 - c. has unlawfully destroyed, vandalized or stolen property of any member of a tenant household or of the IHA or of any person lawfully on the IHA's property, if such conduct involved a serious threat to the health or safety of any such person;

- d. has unlawfully possessed, carried, or kept a weapon on or adjacent to the IHA's property in violation of M.G.L.c.269 sec.10;
 - e. has unlawfully possessed or used an explosive or incendiary device on or adjacent to the IHA's property or has otherwise violated M.G.L.c.266 subsection 101, 102, 102A or 102B;
 - f. has unlawfully possessed, sold, or possessed with intent to distribute a class A, B or C controlled substance, as defined in M.G.L.c.94C sec.31, on or adjacent to the IHA's property;
 - g. has engaged in other criminal conduct which has seriously threatened or endangered the health or safety of any member of a tenant household, a IHA employee, or any person lawfully on the IHA's property; or
 - h. has engaged in behavior which would be cause for voiding the lease; or
3. In the event the IHA has reason to believe that a guest of a tenant or a guest of a household member has engaged in any of the behavior listed above and this tenant knew beforehand or should have known beforehand that there was a reasonable possibility that the guest would engage in misconduct.

Hearing Date and Notice of Hearing

A. The IHA shall schedule a grievance hearing regarding whether good cause exists for terminating a lease within fourteen (14) days after the date on which the IHA receives the grievance. At such time, the IHA shall set a date for the hearing no more than thirty (30) days from the date of the request for a grievance hearing (or as soon as reasonably practicable thereafter) and at least fifteen (15) days prior to the date of examination.

B. The IHA shall give grievant written notice of the date, time and place at least seven (7) days before the hearing. At the grievance hearing any additional reasons for termination of the lease, which arose subsequent to the date of the notice of termination, shall be considered so long as the IHA has given written notice to the grievant as to the additional reason(s) not less than three (3) days before the hearing, or, of the additional reason(s) for termination shall have arisen within such three (3) day period a subsequent session of the hearing may be scheduled on not less than three (3) days' notice. In lease terminations if the grievant is entitled to request a grievance hearing and has made a timely request, the IHA shall not file a summary process summons and complaint seeking an eviction pending the hearing and a decision or other resolution in the IHA' s favor. The hearing of a grievance regarding an issue other than lease termination shall be scheduled as soon as reasonably convenient following receipt of the grievance. The IHA shall give reasonable advance written notice of the time and place of the hearing to the grievant and to his or her representative, if any is known.

C. The IHA or the Presiding Member may reschedule a hearing by agreement of the IHA and the grievant; or upon a showing by the grievant or by the IHA that rescheduling is reasonably necessary.

Pre-Hearing Examination of Relevant Documents

Prior to a grievance hearing the IHA shall give the grievant or his or her representative a reasonable opportunity to examine IHA documents which are directly relevant to the grievance. Following a timely request, the IHA shall provide copies of such documents to grievant and for good cause (including financial hardship) may waive charge for the copies.

Persons Entitled to the Present

The grievance hearing shall be private unless the grievant requests that it be open to the public. If the grievant requests an open hearing, the hearing shall be open to the public unless the Presiding Member of the grievance panel otherwise orders. The IHA and the grievant shall be entitled to specify a reasonable number of persons who may be present at a private hearing. A challenge to the presence of any such person shall be decided by the Presiding Member. At the grievance hearing, the IHA and the grievant may be represented by a lawyer or by a non-lawyer. Each person present at the hearing shall conduct himself or herself in an orderly manner or he or she may be excluded. If the grievant misbehaves at the hearing the hearing officer may take other appropriate measures to deal with the misbehavior including dismissing the grievance

Procedure at Grievance Hearing

The hearing panel shall conduct the grievance hearing in a fair manner without undue delay. The Presiding Member shall initially take appropriate steps to define the issues. Thereafter, the IHA representative shall present its case and explain its position or action. The grievant is then given an opportunity to present their case and explain why they disagree with the IHA's decision. If the Grievance Hearing relates to an eviction and the Hearing Officer/Panel determines, based on the relevant information presented at the hearing, that good cause exists for terminating a lease, then after receipt of that written decision, the IHA may proceed with a summary process action and there shall be no review by the Board of Commissioners or DHCD.

One Person Hearing Panel

Because it is unlikely the IHA can convene a three person panel the IHA elects the option of a single hearing officer, and an alternate. The appointed officer will be the Gloucester Housing Authority Assistant Director Alice Sheridan as the Single Hearing Officer. The Single Hearing Officer will be selected by the IHA Board of Directors.

Impartiality of Members

No member of a hearing panel or a member of his or her family which is to determine a particular matter shall have or shall appear to have any direct personal or financial interest in the outcome. No member of a hearing panel, which is to determine a particular matter, shall be related by blood or marriage to any party or to any person who is the source of evidence as to facts that are disputed by the parties. No member may determine matters which directly concern his or her own housing or the housing of a family member or his or her own status or the status of a family member in that housing.

**AGAWAM VILLAGE – IPSWICH, MA
AFFORDABLE HOUSING WAITLIST
Applications Available Now**

Providing affordable senior and family housing in Ipswich, MA
1-bedroom, 2-bedroom, 3-bedroom, and 4-bedroom units with on-site laundry, off-street
parking, and on-site support services.

Income limits apply for all units.

Maximum income limits apply at 30% AMI: 1 person \$29,450; 2 persons \$33,650; 3 persons \$37,850;
4 persons \$42,050; 5 persons \$45,450; 6 persons \$48,800.

Maximum income limits apply at 50% AMI: 1 person \$49,100; 2 persons \$56,100; 3 persons \$63,100;
4 persons \$70,100; 5 persons \$75,750; 6 persons \$81,350.

Maximum income limits apply at 60% AMI: 1 person \$58,900; 2 persons \$67,300; 3 persons \$75,700;
4 persons \$84,100; 5 persons \$90,850; 6 persons \$97,600.

Maximum income limits apply at 80% AMI: 1 person \$78,550; 2 persons \$89,750; 3 persons \$100,950;
4 persons \$112,150; 5 persons \$121,150; 6 persons \$130,100.

Maximum rent restricted to 30% of income for eligible households.

Utilities (heat, A/C, electricity, water) included. Resident responsible for phone, wi-fi, and cable.

For information, reasonable accommodation, or to request an application, please call
Ipswich Housing Authority (Monday-Friday, 8:30 AM-4:30 PM) located at
1 Agawam Village, Ipswich, MA 01938. Tel: 978-356-3150 TTY/TTD: Dial 711.

Applications will also be available on our website
<https://www.ipswichhousingauthority.com/howtoapply> and/or can be picked up at
1 Agawam Village, Ipswich, MA 01938.

Applications can be mailed to 1 Agawam Village, Ipswich, MA 01938.



SAMPLE ADVERTISEMENT

THE AGENT WILL PROVIDE HELP IN REVIEWING THIS DOCUMENT. IF NECESSARY, PERSONS WITH DISABILITIES MAY ASK FOR THIS APPLICATION IN LARGE PRINT TYPE, OR OTHER ALTERNATE FORMATS.

SITE NAME: Agawam Village	PRELIMINARY RENTAL APPLICATION
ADDRESS: One Agawam Village	Equal Housing Opportunity
CITY, STATE: Ipswich, MA	Please print and fill in ALL Information.
Phone #: 978 356 2860 x 205	
FAX #: 978 356 7715	
TDD #: _____	Date _____

APPLICATION FOR ADMISSION

Note: Please fill in all sections completely. Failure to do so will result in processing delays or rejection of your application. Should you need help in completing this application, please contact the Rental Office.

Applicant: _____ Home Tel _____

Present Address _____
street city state zip

Mailing Address _____
(if different) street city state zip

Race: (Optional Section: Information will be used for fair housing programs only, as required by State and Federal Laws.)

- | | |
|---|--|
| <input type="checkbox"/> American Indian/Alaskan Native | <input type="checkbox"/> Asian or Pacific Islander |
| <input type="checkbox"/> Black(not of Hispanic origin) | <input type="checkbox"/> Hispanic |
| <input type="checkbox"/> White(not of Hispanic origin) | |

Note: Upon request to the Agent, you have the right to receive a Tenant Selection Plan Summary (with Program Description Insert) which summarizes the tenant application process, including eligibility and screening requirements, for occupancy in the Development.

SIZE OF APARTMENT NEEDED:

1BR 2BR 3BR 4BR

UNIT TYPE REQUESTED:

Wheelchair Adapted Unit



Does any member of the household have any accessibility or reasonable accommodation requests or changes in a unit or development or alternate ways we need to communicate with you?

Yes No If yes, please explain. _____

Present housing cost per month \$_____ Including utilities? Yes No

How long have you lived at present address? _____ years.

What are your reasons for moving? _____

How did you hear about this housing development? _____

FAMILY COMPOSITION

List all those who will occupy the apartment. INCLUDE YOURSELF.

FULL NAME OF EACH PERSON IN HOUSEHOLD	RELATIONSHIP TO HEAD OF HOUSEHOLD	AGE	SEX	SOCIAL SECURITY NUMBER *	FULL TIME STUDENT
					(circle one)
1 _____	_____	_____	_____	_____	Yes or No
2 _____	_____	_____	_____	_____	Yes or No
3 _____	_____	_____	_____	_____	Yes or No
4 _____	_____	_____	_____	_____	Yes or No
5 _____	_____	_____	_____	_____	Yes or No
6 _____	_____	_____	_____	_____	Yes or No
7 _____	_____	_____	_____	_____	Yes or No

Are there any household on this application who are 62 years or older who have received federal housing assistance somewhere else on or before January 31, 2010? YES NO

If answered YES the applicant is exempt from disclosing their Social Security Number

REFERENCES

Provide the full name and address of Landlords or Officials at other places you have lived over the last five years.

Name of Present Landlord/Official _____ Telephone _____
 Address _____

Name of Present Landlord/Official _____ Telephone _____
 Address _____



Are any members of your household currently receiving federal (HUD) or state housing assistance? [] Yes [] No

If yes please list the household members and the type of assistance received:

Household Member	Type of Housing Assistance	Location
_____	_____	_____
_____	_____	_____
_____	_____	_____

NOTE: If you are unable to furnish a landlord or other housing reference, please furnish character references. They must have known you for one (1) year or more and not be related to you.

Name of Character Reference _____ Telephone _____
Address _____

Name of Character Reference _____ Telephone _____
Address _____

EMPLOYMENT INCOME BY HOUSEHOLD MEMBER

Please indicate the income received and assets held by each member of your household. List each member by the corresponding number on the first page.

Member # _____
Name of Present Employer _____ Telephone _____
Address _____
Years Employed _____ Position _____ Current Salary \$ _____
[] weekly [] bi-weekly [] monthly

Member # _____
Name of Present Employer _____ Telephone _____
Address _____
Years Employed _____ Position _____ Current Salary \$ _____



Member # _____
 Name of Present Employer _____ Telephone _____
 Address _____
 Years Employed _____ Position _____ Current Salary \$ _____
 [] weekly [] bi-weekly [] monthly

OTHER SOURCES OF INCOME BY HOUSEHOLD MEMBER

List all other income such as Welfare, Social Security, SSI, Pensions, Disability Compensation, Unemployment Compensation, Interest, Alimony, Child Support, Annuities, Dividends, Income from Rental Property, Military Pay, Scholarships, and/or grants.

Household Member	Type of Income	Gross Earnings (Before Taxes)
_____	_____	_____ per _____
_____	_____	_____ per _____
_____	_____	_____ per _____
		(week, month, year)

INCOME FROM ASSETS

Assets include Checking Accounts, Savings Accounts, Term Certificates, Money Markets, Stocks, Bonds, Real Estate holdings and Cash Value of a Life Insurance Policy.

Household Member	Type of Asset	Gross Earnings
_____	_____	_____ per _____
_____	_____	_____ per _____
_____	_____	_____ per _____

PREFERENCES

Where is your current place of employment? (City/Town)

Are you or a household member a veteran of the United States Armed Forces?

Yes No

Please enter dates of service of the veteran in your household:

_____ to _____

CURRENT HOUSING SITUATION

1. Are you currently homeless or in imminent danger of becoming homeless?

Yes No

2. One what date did you become, or will you become homeless?



3. Did you become homeless or are you about to be displaced in any of the following ways?

- by natural forces (eg. fire, flood, earthquake etc)
- by urban renewal or eminent domain
- by condemnation or violations of the state sanitary code or local ordinances
- No fault loss of housing
- Victim of abuse (domestic violence)
- Severe medical emergency

Additional Required Information

Are you or any member of your household required to register as a sex offender under Massachusetts or any other state law? _____

If yes, list the name of the persons and the registration requirements (i.e. place where registration needs to be filed, length of time for which registration is required).

Have you or any member of your household resided outside of Massachusetts? If yes, please list all other states of residence for each household member.

NOTE: A failure to respond fully to these questions may result in rejection or denial of this application.

I/We hereby certify that the information furnished on this application is true and complete, to the best of my/our knowledge and belief. **Inquiries may be made to verify the statements herein.** All information is regarded as confidential in nature, and a **consumer credit report and a Criminal Offenders Record Information (CORI) report or other criminal background check may also be requested.** I/We certify that I/We understand that false statements or information are punishable applicable under State or Federal Law.

I/We hereby certify that we have received a notice form the management agent describing the right to reasonable accommodations for persons with disabilities.

Signed under the pains and penalties of perjury.



Head of Household/Applicant Date Co-Applicant Date

_____ [insert name of Management Agent], acting as management agent for _____ [insert name of Development] (the “Development”) does not discriminate on the basis of race, color, religion, sex, national origin, sexual orientation, age, familial status or physical or mental disability in the access or admission to the Development, its employment, or in its programs, activities, functions or services.

NOTE: In completing this application, the Applicant has the right to include, as part of the application, the name, address, telephone number, and other relevant information of a family member, friend, or social, health, advocacy, or other organization as contact person to provide assistance to Applicant in connection with the application.

Applications for Federally Assisted Housing must include completed Form HUD-920006 (Supplemental and Optional Contact Information for HUD-Assisted Housing Applicants).

Applicants for Non-Federally Assisted Housing may use Form HUD-920006 or provide supplemental or optional contact information below:

Name of Additional Contact Person or Organization: _____

Address: _____

Telephone No: _____

E-Mail Address (if applicable): _____

Relationship to Applicant: _____

Reason for Contact: _____

NOTE: the formal application form must include an Equal Opportunity logo and a Handicapped Access logo (where appropriate).





Date

Applicants Name
Applicant Address

AGAWAM VILLAGE HOUSING OFFER

Dear Applicant Name,

Pursuant to your application for housing, this letter constitutes the offer of the housing at Agawam Village as described below.

Name of Development: Agawam Village

Address and Apartment Number:

Number of Bedrooms:

Date available for occupancy:

If you wish to accept this offer please contact the office within seven (7) days from the date of this letter. If you do not respond within seven days you will be removed from the waiting list. Once removed from the waiting list you must re-apply with a new application.

Persons with disabilities have the right to request reasonable accommodations. If you wish to request a reasonable accommodation please contact the office on 978 356 2860.

The Ipswich Housing Authority does not discriminate on the basis of race, color, religion, disability, familial status, national origin, perceived sexual orientation, gender identity or marital status in the admission or employment in its assisted programs.

Sincerely,

Julie Spencer
Public Housing Manager



Date
Applicant Name
Address

Dear **Applicant Name**,

Thank you for your interest in Agawam Village. However, we regret to inform you that your application for admission has been denied for the following reason(s):

- Your application is not complete or documents are missing.
- You have outstanding balances owed to prior landlords.
- You have outstanding balances owed to utility providers.
- You have failed to provide documentation to verify the Social Security Number for a household member.
- You have failed to submit evidence of citizenship, naturalization, or eligible immigration status.
- Your credit did not meet the criteria of the Tenant Selection Plan.
- Your criminal history did not meet the criteria of the Tenant Selection Plan.
- Your landlord history did not meet the criteria of the Tenant Selection Plan.
- You failed to respond to the waiting list update and/or requested to be removed from the waiting list.
- You have refused two unit offers.
- Other:

The reason(s) indicated above are based on the following facts and sources of those facts:

If you disagree with this determination, you have 14 days from the date of this letter to respond to this notice or request an informal meeting to discuss/appeal the rejection. You may contact the owner in writing at **One Agawam Village, Ipswich MA 01938** or by calling **978 356 2860**. You have the right to have an attorney or other representation present; at your own expense, at any conference. The IHA also has the right to have legal counsel present at any proceeding. For legal assistance you may contact Northeast Legal Services at 978 458 1465 or by visiting northeastlegalaid.org.

Attached to this letter is a Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (form HUD-5382). If you are seeking VAWA protections, please contact the management office within the 14-day notice period.

Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process. The Ipswich Housing Authority does not discriminate on the basis of race, color, religion, disability, familial status, national origin, perceived sexual orientation, gender identity or marital status in the admission or employment in its assisted programs. If at some future date you feel that your situation has changed sufficiently for you to be qualified, please contact us again. We will be happy to answer any questions you may have about our requirements.

Sincerely,

Emily Martineau
Occupancy Specialist



AGAWAM VILLAGE APPLICATION RECEIPT

Date:

Applicant name:

Applicant Address:

Applicant Control Number:

Dear Applicant,

The Ipswich Housing Authority has received your application for housing at Agawam Village. Your application has been put on the waiting list. You will be contacted by the Ipswich Housing Authority when your application is close to the top of the waiting list or if we require further information. You may also be contacted periodically to update your information. **You must respond to all notices sent by the Ipswich Housing Authority otherwise your application may be removed from the waiting list.**

It is very important that you contact the Ipswich Housing Authority if you have a change of address, housing situation or household composition as this may affect your status on the waiting list.

Please retain a copy of this notice and refer to the control number when calling the Ipswich Housing Authority. If you have any questions or concerns please call the office on 978 356 2860.

Sincerely,

Emily Martineau
Occupancy Specialist

LEASE ADDENDUM #1
LIHTC 140% RULE

If the Resident's household income rises above 140% of the current LIHTC Program limit, Resident's household may remain in the Development, but with 30 days' notice the status of Resident's household may be changed to "Market Rate," and the rent may be set at a level up to, but not higher than, an achievable market rent for the area for the balance of the current term of this Agreement. The new Market Rent may be constrained by other regulatory limits applicable to the Apartment or the Resident, as described in this Agreement.

Management Representative: _____ Date: _____

Resident: _____ Date: _____

Co-Resident: _____ Date: _____

Note to manager: Applies to projects with less than 100% LIHTC units

**LEASE ADDENDUM #2
LIHTC SIX MONTH REQUIREMENT**

Resident understands that continued occupancy in the Apartment is allowed due to an existing lease agreement or residual right. Because the Property is now subject to the LIHTC Program, the initial term of all leases must be six months from the placed-in-service date. Resident agrees that this addendum extends the current lease term until _____, which is at least six months after the placed-in-service date. Other terms and conditions remain the same in the lease.

Management Representative: _____ Date: _____

Resident: _____ Date: _____

Co-Resident: _____ Date: _____

Note to manager: Applies to tenants in an acquisition and/or rehab property who are under a lease agreement when the property is placed in service

**LIHTC LEASE ADDENDUM #3
RENT DISCOUNT**

The rent at the Development is governed by LIHTC Program income limits. A rent discount is currently in effect for your Apartment either by the choice of Management, or because of other regulatory agreements in place. For LIHTC units, with thirty (30) days notice during the term of the Agreement, the rent may be increased up to the LIHTC maximum. Such an increase would only occur during the term of this Agreement if additional rent is necessary to cover operating costs or if the rent discount was specified for a certain number of months at move-in. The new rent may be constrained by other regulatory limits applicable to the Apartment or Resident as described in this Agreement.

Management Representative:	_____	Date:	_____
Resident:	_____	Date:	_____
Co-Resident:	_____	Date:	_____

Note to manager: This applies only to LIHTC units where less than the maximum LIHTC rent is being collected.