Rental Compliance Manual

City of Boulder, Planning, Housing & Sustainability

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Introduction

The City of Boulder's current affordable housing goal of ensuring that 10% of Boulder's housing stock is permanently affordable to households earning up to 60% AMI for rental housing and 10% above the HUD low-income limit for homeownership units was established by City Council in 2000. The Department of Planning, Housing and Sustainability's Division of Housing is responsible for the city's Affordable Housing Program. The Division's Community Investment Team (CIT) administers a Funding Program which provides financial assistance to affordable housing providers for the creation and preservation of affordable housing that serve low and moderate income households within the City of Boulder. Please see Chapter 1 for additional information regarding funding.

In addition to administering the Funding Program, CIT has developed a Rental Compliance Program which is administered by the Compliance & Project Manager and supported by the Compliance and Data Specialist. This Program has been developed to not only ensure long-term compliance to preserve permanent affordability, but to also ensure that all city-supported rental housing projects both funded projects and permanently affordable units secured through Annexation and the Inclusionary Housing Program, serve the most vulnerable residents of Boulder.

CONTENTS OF THIS MANUAL

Due to the long-term nature of the city's obligation, the city's compliance requirements take a long-term and broad view of compliance in developing the Rental Compliance Program. The city's local rules and policies are established in an effort to lay the foundation for ensuring compliance and project success at the earliest stage of a project and throughout the period of affordability.

City-supported projects are often financed with a combination of funds. When combining multiple sources of funds, the Owner/Manager must comply with the requirements of all applicable programs. Generally, this can be achieved by complying with the most restrictive requirement. The manual is designed to answer questions regarding the policies, procedures, rules, and regulations that govern the permanently affordable rental housing units under Covenant with the city. It is important to note that this manual is to be used as a supplement to existing laws and rules.

WHO SHOULD READ THIS GUIDE?

This manual is intended to be used as a training and reference guide to ensure compliance with the city's Rental Compliance Program. This manual may be superseded by changes in local policies, federal program requirements and technical revisions. Partners will be notified of these revisions via email and publication on the city's website. A copy of the manual can be accessed at the City of Boulder Division of Housing Grant Compliance & Asset Management website at https://bouldercolorado.gov/housing/grants-compliance-and-asset-management

GLOSSARY OF KEY TERMS

Annual Income – All amounts, monetary or not, anticipated to be received during the next 12-month period by all members of the household eighteen years of age and older. Annual income includes amounts derived from assets to which any member of the household has access.

Area Median Income (AMI) – The AMI reported annually for households of various sizes by the United States Department of Housing and Urban Development (HUD), or by any successor United States Government department, agency or instrumentality, for the Primary Metropolitan Statistical Area "PMSA" which includes the City of Boulder, Colorado.

Assets – Cash or non-cash resources with economic value that an individual owns or controls with the expectation that it will provide future benefit.

Asset Limits –Liquid assets that are worth more than one and one-half times the annual combined household income or $15,000, whichever is less. Households with liquid assets that exceed the asset limit are not eligible to occupy a permanently affordable rental housing unit.

City-Supported Unit - A unit created or preserved using City of Boulder funding or resulting from City of Boulder regulatory requirements (e. g., annexation, Inclusionary Housing), and/or maintains any city restrictions.

Household – One or more persons occupying a rental housing unit.

Liquid Assets – Cash on hand or any asset that can readily converted to cash.

Low Income – Persons or households whose incomes are no greater than the maximum income required to meet the U.S. Department of Housing & Urban Development low income guidelines, commonly referred to as "HUD Low".

Maximum Income – The maximum amount of income a household may have to be determined income eligible at initial occupancy and upon recertification of income per the applicable AMI as outlined in the Agreement and/or Covenant.

Non-Renewal – The end of a lease or rental agreement without an option to renew the lease.

Over-Income – A combined household income that exceeds 140% of 60% AMI.

Participating Jurisdiction "PJ" – Any State or local government that has been designated by HUD to administer the HOME program grant.

Rent – The total rent paid by the tenant including the established monthly Utility Allowance**.**

Student – An individual 18 years of age or older who is enrolled in an institution of higher education during the calendar year.

Termination of Tenancy – A termination of the lease or rental agreement prior to the expiration of the lease term.

Utilities – The average monthly cost of services for electric and heating. Utilities do not include water, sewer, and trash services.

Utility Allowance – The reasonable estimate cost of utilities in the area, given the type of building, and the size of the unit

Very Low-Income – A household whose annual income does not exceed 50% of the AMI, as determined by HUD.

Chapter 1: Funding

1.1 FUNDING OVERVIEW

The city's Community Investment Team administers a Funding Program which provides financial resources to affordable housing partners to primarily create and preserve housing opportunities at every income level of the affordable housing continuum. Currently, the Funding Program focuses it financial resources to serve the lower end of the income spectrum, targeting the following populations:

- Households that live or work in Boulder;
- Households with children;
- Households with working members who earn a low or moderate wage;
- Non-student Households; and
- Special population groups including:
  - Homeless
  - People with disabilities
  - Chronically mentally ill
  - Frail elderly

Rental housing units produced, acquired and preserved through a grant allocation from the City of Boulder or provided through Inclusionary Housing or annexation are subject to compliance and eligibility requirements in perpetuity. These requirements are formally agreed to by the signing of a Low Income Rental Housing Covenant prior to the drawdown of any funds or issuance of building permits. These covenants run with the land and may only be amended with the agreement of all signing parties.

1.2 SOURCES OF FUNDS

The City of Boulder currently has five funding sources whereby affordable housing units are acquired. These sources include:

- Affordable Housing Fund (AHF)
- Community Development Block Grant (CDBG)
- Commercial Linkage Fee
- Community Housing Assistance Program (CHAP)
- HOME Investment Partnership (HOME)

These funding sources have been combined to create a pool of funds that support a variety of housing developments and programs. With the exception of the Community Development Block Grant program, each fund promotes affordable housing as its primary goal. Different requirements and restrictions apply, yet the potential for complementary uses exists and is often utilized. For example, CHAP funds support housing for persons earning 15% - 60% AMI; HOME and CDBG funds may be used for households with incomes up to the HUD low-income limit. Together, fund sources can be used on a mixed income housing development which provides for households with very low incomes, middle incomes and market rate housing.

1.3 DESCRIPTION OF FUNDING SOURCES

Affordable Housing Fund (AHF)

Inclusionary Housing requires that new residential development contribute at least 20% of the total units as permanently affordable. Developers may opt to provide cash in lieu of providing permanently affordable housing. This fund is comprised of cash-in-lieu payments contributed by developers as well as a limited annual subsidy from the city's general fund. The fund is targeted to households with incomes at or below 60% AMI.

Community Housing Assistance Program (CHAP)

In 1991, CHAP was created to provide affordable housing to households earning between 15% - 60% AMI. Revenues to support this fund are derived from an 8/10ths of a mill property tax and a housing excise tax imposed on all new developments in Boulder.

Commercial Linkage Fee

Originally implemented in 2011 and applied to a single district located in downtown Boulder, in 2015 City Council approved expansion of the fee to be applied to all new non-residential development in the city of Boulder. The fee addresses the impact of the development of new workplace buildings, the employees that work in them and the resulting demand for affordable housing.

Community Development Block Grant (CDBG)

Since 1975, the Community Development Block Grant (CDBG) program has been available to support many housing and social service solutions. CDBG is a federal grant program which has been one of the primary revenue sources

available for affordable housing. Its purpose is fairly broad, in that grants are to be used to benefit low to moderate income households. Activities have included housing assistance, economic development, downtown redevelopment and social service support. Over the years, the city has allocated approximately 50% of its CDBG money for housing assistance. The primary requirement for CDBG funds is that persons assisted have earnings that do not exceed the HUD Low Income Limit.

Home Investment Partnership Program (HOME)

HOME is a federally funded grant solely targeted for affordable housing. HOME is more restrictive than the CDBG block grant; most distinctive are the matching fund requirements. For every dollar of HOME funds allocated for a project, there is a $0.25 match obligation. The funds must be a permanent investment in the project and other federal funds may not be used to match HOME dollars. HOME funds must be used to provide housing in which 90 % of the assisted units are affordable to households with earnings that do not exceed 50% AMI and 10% of the assisted units are affordable to households that qualify at 60% AMI. A HOME Agreement is executed along with a Low Income Rental Housing Covenant.

1.4 INCLUSIONARY HOUSING PROGRAM (IH)

Inclusionary Housing requires that new residential development contribute 20% of the total number of units be permanently affordable to low and moderate income households. There are a variety of ways to meet the Inclusionary Housing requirement, including units on-site, dedicating existing units off-site, land donation and cash-in-lieu contribution. Affordable units provided may be rental or for-sale.

1.5 ANNEXATION

Annexations are negotiated agreements guided by Boulder Valley Comprehensive Plan policy which states:

"Proposed annexations with additional development potential need to demonstrate community benefit consistent with Boulder Valley Comprehensive Plan (BVCP) policies in order to offset the negative impacts of additional development in the Boulder Valley. For proposed residential development, emphasis is given to the provision of permanently affordable housing."

The policy and practice for the past several years has been that 40 to 60 percent of the new residential development in annexations be permanently affordable. The percentage is based on the overall level and types of other community benefit in addition to affordable housing provided. Affordable units provided may be rental or for-sale.

1.6 FUNDING POLICIES

The city's Funding policies outline the funding process, eligibility, evaluation criteria and administration of funding awards. The Funding Policies are published on the city's website:

https://bouldercolorado.gov/housing/housing-division-funding-policies

Chapter 2: Roles & Responsibilities

2.1 COMMUNITY INVESTMENT TEAM

The City of Boulder has been designated as a Participating Jurisdiction by the U.S. Department of Housing and Urban Development (HUD) to administer federal program funds. The City's Department of Planning, Housing and Sustainability, includes the Community Investment Team (CIT) housed within the Division of Housing. CIT is responsible for managing the day-to-day operation of the Funding and Rental Compliance Programs. This includes developing policies, procedures and establishing affordable rental housing program compliance requirements.

The Rental Compliance Program is designed to ensure that all city-supported rental housing is permanently affordable, serves low and very-low income households, and that properties are maintained to meet local and federal property standards.

2.2 COMMUNITY INVESTMENT PROGRAM MANAGER

The Community Investment Program Manager is responsible for overseeing the administration of the Funding and Compliance Programs while providing leadership and supervision of the Community Investment Team. The Community Investment Program Manager collaborates with city staff and community partners in identifying and analyzing community needs in an effort to identify funding goals and priorities.

2.3 FUNDING ADMINISTRATOR

The Funding Administrator is responsible for administering the funding process and works directly with Owners throughout the negotiation and execution of contracts.

2.4 COMPLIANCE & PROJECT MANAGER

The Compliance & Project Manager administers the Rental Compliance Program to ensure that all project and programs are in compliance with applicable rules and regulations. The Compliance & Project Manager will ensure that all permanently affordable projects and programs are in compliance with all local and federal regulations. The Compliance & Project Manager serves as a primary contact for information and questions related to

compliance monitoring as well as questions that may arise from project implementation to lease up and on-going compliance. Risk Assessments, Project/Program Performance Analysis, and Desk Reviews will be conducted by the Compliance & Project Manager to ensure all projects maintain long-term viability and programs maintain long-term compliance. Compliance & Project Manager provides training and technical assistance for Owner/Managers/Developers, and on-site property managers upon request.

2.5 COMPLIANCE & DATA SPECIALIST

The Compliance & Data Specialist is responsible to ensure that permanently affordable rental units are leased in accordance with funding conditions, covenants and agreements. The Compliance & Data Specialist works directly with property managers to ensure compliance with all programs and projects. The Compliance & Data Specialist sends requests for all documentation which is to be submitted to the Division of Housing for compliance monitoring purposes. The Compliance & Data Specialist also serves as a contact for information and questions about compliance monitoring and questions that may arise as it relates to long term monitoring. Regular on-site monitoring reviews, necessary follow-up reviews and unit/property inspections will be conducted by the Compliance & Data Specialist in order to verify compliance. The Compliance & Data Specialist will assist the Compliance & Project Manager in providing training and technical assistance.

2.6 OWNER

The Owner of a permanently affordable rental housing project or their designee is responsible to ensure compliance with all requirements outlined in the Rental Compliance Manual and the covenant executed for the property as well as the local rules and policies adopted by the City of Boulder. In order for the city to allocate grant funds to an affordable housing project, the project must meet the following criteria:

- Remain affordable in perpetuity to the established population as defined in the covenant.
- Maintain the property and units to ensure housing quality standards, rehabilitation standards and City of Boulder housing codes, are met.
- Meet Affirmative Marketing & Fair Housing requirements.
- Comply with all federal, state and local regulations that may apply to the project/property.

The Owner is ultimately responsible for assuring compliance with all applicable rules, regulations and policies that govern the property, notwithstanding notification from the City of Boulder as to any changes in such requirements. If the Owner determines that the property is not in compliance with City of Boulder program requirements, the Compliance & Project Manager must be notified immediately.

2.7 PROPERTY MANAGER/ PROPERTY MANAGEMENT COMPANY

The Property Manager is responsible for ensuring that once the rental property has been placed in service; it is properly managed and maintained so that at all times it is suitable for occupancy. As an authorized representative of the Owner, the Property Manager must adhere to all of the compliance requirements as referenced above.

It is the responsibility of the Property Management company to report any changes in staffing, property assignments and staff turnover. This information must be reported to the Compliance & Project Manager within thirty (30) days of such changes.

The Property Management Company must ensure that all property management staff are properly trained in local and federal rental compliance requirements. CIT Compliance staff will provide support to the Property Management Company in their training efforts by providing technical assistance upon request.

CHAPTER 3: GENERAL REQUIREMENTS

3.1 PERIOD OF AFFORDABILITY

The period of affordability is the length of time during which specific compliance requirements apply to the assisted rental property.

A. Permanent Affordability

Properties restricted by a Covenant with the City of Boulder require permanent affordability regardless of funding source.

B. HOME Period of Affordability

A HOME funded rental project requires a period of affordability that is determined by the type of activity and the average per unit HOME investment. The HOME Agreement for each HOME assisted project outlines the period of affordability that applies to the project. Upon expiration of the HOME period of affordability, the Low Income Rental Housing Covenant for the property will govern all units specified within the Covenant. All units under Covenant will remain permanently affordable.

C. Compliance When City, HOME & Low Income Housing Tax Credits Are Combined

When HOME and Low Income Housing Tax Credits (LIHTC) are combined in a locally funded property, the Owner/Manager of the property must comply with the requirements of each program for the duration of the programs affordability/compliance period. Generally, the HOME Program imposes more restrictive requirements. However, there are some locally imposed rules and policies that are more restrictive than the HOME and LIHTC Programs. To ensure compliance with all program requirements, the Owner/Manager must adhere to the most restrictive compliance requirements in any given circumstance.

3.2 HOME UNIT DESIGNATION

The Owner/Manager must designate which units within the property are HOME-assisted unit. HOME units must be identified in the tenant file and on the Annual Tenant Report.

3.3 UNIT MIX

Many permanently affordable rental projects require a mix of unit sizes, bedrooms and assign a maximum AMI limit for the unit. When HOME funds are used to finance the property, the HOME Agreement also requires a specific number of units to be maintained as HOME-assisted units throughout the HOME period of affordability. The Owner/Manager of a project with a Covenant that imposes these restrictions must ensure compliance with the appropriate unit mix requirements.

A. Floating HOME Units

HOME-assisted units will "Float" among the mix of non-HOME-assisted permanently affordable units within the property. Properties with floating HOME-assisted units do not have specific units that are designated HOME-assisted units for the duration of the period of affordability. Instead, the HOME-assisted unit designation may change, or "float" among comparable units during the HOME period of affordability in order to keep the original mix of assisted and non-assisted units.

B. Maintaining Unit Mix When Units "Float"

When re-designating units, in order to maintain the required unit mix, the Owner/Manager must substitute the HOME-assisted unit designation to a non-assisted comparable unit.

Maintaining the unit mix in properties with HOME-assisted units is achieved by changing the unit designation when the next HOME-assisted or non-assisted unit becomes available. For example:

- A property has an over-income tenant in a HOME-assisted unit. When the next non-assisted unit becomes available, it is designated as HOME-assisted and rented to an income eligible tenant.
- The unit occupied by an over-income tenant is re-designated as a non-assisted unit.

When the designation of a unit changes, the Owner/Manager must ensure that that the tenant lease is revised accordingly.

> ***NOTE:*** If a household occupies a newly designated HOME-Unit, be sure to obtain a Declaration of Citizenship for each member of the household upon re-certification of income or prior to the designation of a HOME-Unit, whichever comes first.

3.4 MARKETING REQUIREMENTS

A. General Marketing Requirements

The Owner/Managers of permanently affordable rental housing units must conduct marketing and advertising activities in accordance with applicable fair housing laws, in addition to specific HOME requirements that relate to affirmative marketing. These fair housing and affirmative marketing requirements ensure that the Owner/Manager provide the opportunity to rent permanently affordable units to ***all*** eligible applicants. The Owner/Manager must treat applicants and tenants fairly and equitably by:

- Establishing and following standard tenant selection procedures;
- Using leases that protect tenant's rights; and
- Using established procedures to resolve conflicts with tenants.

B. Marketing Accessible Units

In addition, the Owner/Manager must take certain additional steps to make accessible units available to persons with disabilities. The Owner/Manager of properties with accessible units that are built in accordance with Section 504 requirements must develop procedures to ensure that information regarding the availability of accessible units reaches eligible individuals with disabilities. Reasonable, nondiscriminatory steps must be taken to make sure that available, accessible units are offered:

- First, to a current occupant of the property who might require or benefit from the accessibility feature(s) of the unit
- Second, to an eligible qualified applicant on the waiting list who requires the accessibility of feature(s) of the unit
- Last, to a nondisabled person on the waiting list

A nondisabled tenant may rent an accessible unit only when the Owner/Manager has made all reasonable efforts to attract a tenant with a disability, and has followed the steps outlined above. Our recommendation is

that the property manager contacts the Center for People with Disabilities (CPWD) at 303-442-8662 or 1-888-929-5519 to let the agency know that an accessible rental housing unit is available to income qualified households. CPWD staff can inform their eligible clients of the limited accessible housing inventory, and counsel them to apply for rental housing and be on your waiting list.

We recommend this approach to optimize our specially designed housing resources by providing them first to households who need them with the goal of making the most of our affordable housing programs.

3.5 NONDISCRIMINATION IN HOUSING

Federal fair housing laws prohibit discrimination in housing based on a person's race, color, religion, sex, familial status, national origin, age and disability. It is the policy of the City of Boulder that there will be no discrimination on the basis of age, source of income, sex, race, marital status, sexual orientation, national origin, religion or handicap.

Fair housing laws prohibit discrimination in all housing, housing-related activities and housing programs regardless of whether or not the housing receives Federal financial assistance. The Owner/Manager cannot discriminate in the rental of units, in establishing terms and conditions of property rentals, or in advertising the availability of rental housing units.

Please see Section 3.18 for information regarding Section 504 compliance and the city's Section 504 coordinator contact information.

A. Fair Housing Poster

The Owner/Manager must prominently display and maintain the required Fair Housing Opportunity Poster (Exhibit III-A) so it is readily apparent to all persons seeking housing.

B. Affirmative Marketing

The Owner/Manager of permanently affordable units must Affirmative Market rental units in accordance with the City of Boulder, Affirmative Marketing Plan (Exhibit III-B) which attracts tenants who are least likely to apply for housing without special outreach, such as minorities, families with children, persons with disabilities, or other persons protected by fair housing laws.

Affirmative marketing must be made part of the property's overall marketing activities.

The Owner/Manager is required to develop and maintain an Affirmative Marketing Plan specific to the property. The Owner/Manager must maintain documentation of all advertising and outreach activities that demonstrate compliance with Affirmative Marketing.

3.6 SECTION 504 COMPLIANCE

The Owner/Manager of permanently affordable rental properties must ensure that their program and units are accessible to and usable by people with disabilities which include:

- Ensure effective communication with applicants, tenants and members of the general public.
- Make reasonable accommodations.
- Wheelchair access to program in-take/application offices, public hearings and tenant meetings, etc.

The city's Notice Under ADA, Title I Policy, Grievance Procedures and Complaint form may be found in Exhibits III-C through III-C.3. These forms may also be accessed through the city's website. For additional information on Section 504 compliance please contact Kevin Krayna at (303) 441-3061 in the city's office of Risk Management.

3.7 SCREENING & SELECTING APPLICANTS

The Owner/Manager is responsible for establishing tenant selection procedures specific to each property. These procedures describe the methods and procedures for receiving applications and screening applicants for the property. A Sample Tenant Selection Plan is provided in Exhibit III-D.

The following are the required and recommended elements of tenant selection procedures:

A. Tenant selection procedures should identify the criteria that will be used to select tenants.

   ✓ Tenant should be selected based on objective criteria, related solely to program qualifications and ability to pay the rent and abide by the terms of the lease. These criteria might include household

income, housing history, credit history, and/or lack of criminal record. Property Owner/Manager must apply the criteria consistently to all applicants, in accordance with fair housing laws.

- ✓ Selection criteria should expressly prohibit bias in the selection process including discrimination or favoritism toward friends or relatives, or other situations in which there may be a conflict of interest.

- ✓ Tenant selection criteria can give preference to persons with special needs upon review and approval by City of Boulder.

B. Tenant selection procedures must state that the Owner/Manager will promptly notify an applicant in writing if he/she has been rejected, and will explain the grounds for the rejection. (***required***)

C. The Owner/Manager must maintain a written waiting list and must select the tenants in the chronological order of application, to the extent practicable. The tenant selection procedures should be described how the waiting list will be maintained. (***required***)

D. The tenant selection procedures should describe the requirements that affect tenants and tenant selection in terms that are clear and easy to understand. Specifically, the procedures should describe:

- How vacant units will be filled;
- Unit occupancy requirements;
- Nondiscrimination policies and the affirmative marketing procedures, including accessibility requirements;
- Marketing strategy for accessible units; and
- Tenant selection records that must be maintained.

E. The Owner/Manager must not exclude an applicant with a certificate or voucher under the Section 8 Tenant Based Rental Assistance, Housing Choice Voucher Program or an applicant participating in a HOME tenant-based rental assistance program because of the status of the prospective tenant as a holder of such certificate, voucher or comparable HOME tenant-based assistance document.

3.8 PREFERENCES FOR TENANTS WITH SPECIAL NEEDS

As referenced earlier in this manual, the city's Funding Program focuses its efforts at targeting special population groups. In support of these efforts the Owner/Manager may give preference in a tenant selection process to persons with special needs, such as the elderly and persons with disabilities. However, the Owner/Manager may not give preference to persons with a *specific-type* of disability. Permanently affordable housing for persons with disabilities must be equally available to all persons with disabilities regardless of the nature of their disability.

3.9 WAITING LIST REQUIREMENTS

The Owner/Manager must provide applicants with the opportunity to complete an application for an affordable rental unit. Applications must be available in both English and Spanish through the property management office and available by mail, email or fax. The Owner/Manager shall accommodate persons with disabilities, who as a result of their disabilities cannot utilize the Owner/Manager's preferred application process by providing an alternative method of taking applications. Through the Owner/Manager's screening process the Owner/Manager must maintain a waiting list of eligible applicants and select applications from the waiting list in chronological order to fill vacancies.

A. Creating & Maintaining Waiting List

Upon receipt of an application for tenancy or assistance, the Owner/Manager must indicate on the application the date and time received. The Owner/Manager must either process the applicant for admission, place the applicant on the waiting list, or based on preliminary eligibility determination, reject the applicant.

The Owner/Manager must collect information about the preferences for which the applicant qualifies so that they are able to select applicants from the waiting list in accordance with preferences established for the property.

B. Opening & Closing Waiting List

The Owner/Manager should monitor the vacancies in their properties and their waiting list regularly to ensure that there are enough applicants to fill vacancies. The Owner/Manager should monitor their waiting list to make sure they do not become so long that the wait for a unit becomes excessive.

- **Opening Waiting Lists:** When the Owner/Manager agrees to accept applications for a waiting list, a notice of this action must be announced in a publication likely to be read by potential applicants. The notification should be extensive, and the rules for applying and the order in which applications will be processed should be stated. Advertisements should include where and when to apply and conform to the advertising and outreach activities described in the Affirmative Fair Housing Marketing Plan.

- **Closing Waiting Lists:** The waiting list may be closed for one or more unit sizes when the average wait is excessive (e.g., one year or more). When the Owner/Manager decides to no longer accept applications, the Owner/Manager must publish a notice to that effect in a publication likely to be read by potential applicants. The notice must state the reasons for the Owner/Manager's refusal to accept additional applications.

C. Nondiscrimination When Matching Applicants to Available Units

Although the Owner/Manager may establish preferences to admit households with specific characteristics from the waiting list, the Owner/Manager must never base applicant selection or denial of assistance upon any of the following:

- Membership into a socio-economic class (e.g., welfare recipients, single parent households) or lack of membership in the sponsoring organization;
    - Familial status; Race, color, religion, sex, or national origin of household members;
    - Whether the household has a member with a specific disability (unless restricted by program statute);
    - Family size (However, if the family size requires a unit size that does not exist in the property, the family must be denied assistance.
    - Age (unless restricted by program statute)

3.10 DECLARATION OF CITIZENSHIP

Section 214 of the Housing and Community Development Act of 1980, as amended, prohibits the Department of Housing & Urban Development (HUD) from providing financial assistance available to persons who are other than United States citizens, nationals, or certain categories of eligible noncitizens

either applying to or residing in a federally assisted project. This includes HOME-assisted units and a CDBG funded project that require compliance during the required period of affordability.

The Owner/Manager is required to have each household member of a federally assisted unit or project, complete a Declaration of Citizenship (Exhibit III-E) and provide a copy of a State issued photo I.D. All required documentation must be maintained in the tenant file.

> ***NOTE:*** A Declaration of Citizenship is only required for HOME-assisted units. When a HOME-assisted unit designation floats to a new unit, all occupants of the newly designated HOME-assisted unit must comply with the Declaration of Citizenship requirement.

3.11 RACE & ETHNICITY

The Owner/Manager must offer tenants the opportunity to complete the Race and Ethnicity Data Reporting form (Exhibit III-F). This form is to be completed at the initial application or at lease signing. Once the form is completed it does not need to be completed again unless the head of household or household composition changes. There is no penalty for persons who do not complete the form. However, the applicant/tenant must have signed, date and state that they decline to complete the form. Parents or guardians are to complete the form for children under the age of 18.

3.12 STUDENT POLICY

Affordable housing is intended to assist low income community members that live and work in Boulder. Community goals for affordable rental housing include assisting low income households, providing workforce housing and assisting persons with disabilities. Most post-secondary students are short-term members of the community and have access to resources other than earned income for living expenses and therefore their low incomes are not a primary community concern.

The Student Policy (Exhibit III-G) excludes certain students from occupying a city-supported permanently affordable rental housing unit. To determine student status, the Owner/Manager must obtain a Verification of Student Status (Exhibit III-G.1) directly from the institution of higher education to confirm the students' enrollment status. A student's status may not be determined by the property management/Owner or the applicant.

A. Eligibility Criteria

Students enrolled in an institution of higher education; and meeting one or more of the following criteria are eligible to occupy a city-supported permanently affordable rental housing unit:

- Age of 24 and older, or
- A veteran of the U.S. military, or
- Have a dependent child(ren), or
- Person with disabilities, or
- Living with a parent who is determined to be eligible on the basis of income.

> ***NOTE:*** Any student that does not meet one or more the eligibility criteria as outlined above are restricted from occupying a permanently affordable rental housing unit. It is important to note that the city's local policy regarding students is more restrictive than the LIHTC program.

B. Request for Exception

It is the city's intention that permanently affordable rental housing units support residents working towards self-sufficiency and through life transitions. The city ***may*** consider exceptions to the Student Housing Policy upon submission of a Request for Student Exception (Exhibit III-G.2) and supporting documentation. Final determination of eligibility is at the city's sole discretion.

> ***NOTE:*** The HOME Program imposes a restriction on students occupying HOME-assisted units. Requests for Exceptions of households occupying a HOME-assisted unit are subject to HOME requirements.

C. Exception Consideration

For Individual Residents:

- The student receives assistance under Title IV of the Social Security Act, also known as Temporary Assistance to Needy Families (TANF).
- The student is enrolled in a job training program receiving assistance under the Workforce Investment Act (formerly known as the Job Training Partnership Act) or under a similar federal, state, or local program.

- The student was previously under the care and placement responsibility of the State agency responsible for administering a plan under title IV of the Social Security Act (i.e., Foster Care).

For Households Comprised Entirely of Students:

- The students are a single parent with children, and the parent is not a dependent of another individual, and the children are not dependents of anyone other than a parent. The household qualifies if either parent claims the children as dependents for tax purposes, regardless of whether or not the parent claiming the dependents resides in the unit.
- The students are married and eligible to file a joint tax return.

D. Exception Review & Determination

All requests for exception must be submitted and reviewed by the Compliance & Project Manager to make a final determination of eligibility ***prior*** to any approval of occupancy by the Owner/Manager. A formal determination will be made within three full business days of receiving complete documentation supporting the request for exception.

- Required documentation includes:
  - Verification of Student Status completed for all household members age 18 years and older. (Exhibit III-G.1)
  - Request for Student Exception (Exhibit III-G.2)
  - Housing application including all household income verification documents

3.13 TENANT RIGHTS & PROTECTIONS

The Owner/Manager must develop policies and criteria to ensure that all applicants and tenants are treated fairly and equitable. The City of Boulder protects tenant rights in a number of ways:

- Written notification should be given to all rejected applicants;
- Every tenant must have a written lease or rental agreement;
- The lease term must be for at least twelve (12) months, unless mutually agreed upon between the Owner/Manager and the tenant(s).
- The lease term may never be for less than 30 days;

- The Low Income Rental Housing Covenant specifies certain prohibited lease clauses which must be adhered to when entering into a lease with a tenant; and
- The city must approve all leases prior to execution.

A. Lease Requirements

The Owner/Manager must enter into a one year (12 months) lease with all tenants of the household 18 years of age and older. A month to month lease may be executed upon mutual agreement of the Owner/Manager and the tenant(s). The lease must describe the terms and conditions of occupying a permanently affordable rental housing unit. The requirements outlined in the Rental Compliance Manual must be incorporated within the terms and conditions of the lease.

The Owner/Manager must provide a copy of their lease and any subsequent updates and Addendums to the Compliance & Project Manager for review and approval prior to execution.

B. Prohibited Lease Terms

No residential lease for the Property or any part thereof may contain any of the following provisions:

1. Agreement by the tenant to be sued, admit guilt, or to a judgment in favor of the Owner/Manager in a lawsuit brought in connection with the lease;

2. Agreement by the tenant that the Owner/Manager may take, hold or sell personal property of household members without notice to the tenant and a court decision on the rights of the parties. This prohibition does not apply to an agreement by the tenant concerning disposition of personal property remaining in the housing unit after the tenant has moved out of the unit. The Owner/Manager may dispose of this personal property in accordance with state law;

3. Agreement by the tenant not to hold the Owner/Manager or the Owner/Manager's agents legally responsible for any action or failure to act, whether intentional or negligent;

4. Agreement of the tenant that the Owner/Manager may institute a lawsuit without notice to the tenant;

5. Agreement by the tenant that the Owner/Manager may evict the tenant or household members without instituting a civil court proceeding in which the tenant has the opportunity to present a defense, or before a court decision on the rights of the parties;

6. Agreement by the tenant to waive any right to a trial by jury;

7. Agreement by the tenant to waive the tenant's right to appeal or to otherwise challenge in court a court decision in connection with the lease; and

8. Agreement by the tenant to pay attorney's fees or other legal costs even if the tenant wins in a court proceeding by the Owner/Manager against the tenant. The tenant may be obligated to pay costs if the tenant loses.

C. Termination of Tenancy

Owners/manager may only terminate the tenancy of a tenant of a permanently affordable rental housing unit for "Good Cause", which includes:

- A serious or repeated violation of the terms and conditions of the lease;
- Violation of applicable Federal, state, or local law;
- Completion of the tenancy period for transitional housing; or
- Other good cause, as defined by the city and outlined in the lease.

When good cause exists, an Owner/Manager may terminate tenancy by:

- Serving written notice upon the tenant at least thirty (30) days before the termination of tenancy. This notice must specify the grounds for the termination or refusal to renew the lease.

- Documenting the property files with a justification for terminating the lease and a copy of the 30-day written notice to the tenant.

NOTE: The LIHTC program permits the Owner/Manager to impose a requirement for tenants to participate in certain services or tenant programs. This is not permitted under the HOME Program. Therefore, no tenant of a permanently affordable unit funded with HOME and LIHTC can be required to participate in any services or tenant programs.

3.14 CONFLICT OF INTEREST

With the exception of on-site managers and maintenance workers that reside in a unit, Owners, and their officers, employees, agents, or consultants, may not occupy a permanently affordable rental housing unit. The city may grant exceptions to this rule on a case-by-case basis.

3.15 NON-RENEWAL OF LEASE

Upon recertification of income, any household whose income exceeds 140% of 60% of the AMI limit for each permanently affordable rental housing unit is no longer determined to be a low income household and therefore no longer eligible to occupy the permanently affordable unit. The Owner/Manager must notify the tenant that they are over-income and their lease will not be renewed. The tenant must be given a minimum of thirty (30) days written notification prior to the end of their lease term. The Owner/Manager must inform tenants of this policy in their lease.

3.16 DISPUTE RESOLUTION

Owners/manager should have written procedures in place that address the following situations:

- Disputes between individual tenants or households; and
- Tenant grievances against management.

3.17 OCCUPANCY LIMITS

There are no federal regulations governing the number of persons allowed to occupy a unit based on size. However, the city's local ordinance restricts occupancy to three unrelated individuals.

Owners of rental dwellings in Boulder must comply with new rules that change how current and potential tenants are informed about the maximum number of unrelated individuals that are allowed to live in their unit. Advertisements for rental units must also state the maximum number of unrelated occupants.

Additional information regarding occupancy limits may be found in the following link: https://bouldercolorado.gov/plan-develop/occupancy-limits

3.18 RECORD KEEPING & RETENTION

As for all program activities, the city requires documentation for rental projects to show that all program and project regulations have been met. Because of the

long-term monitoring required for rental projects, record-keeping responsibilities are slightly more substantial.

Owners/Managers are responsible to keep adequate records that demonstrate compliance with all applicable requirements. The Owner/Manager must maintain both property and tenant records. Property records should include documentation to back-up rent and utility allowance calculations.

Tenant files should include the documentation necessary to demonstrate that each unit is properly occupied by an income-eligible tenant. Such documentation includes: the tenant's application, initial income verification documents, subsequent income recertification documents and the tenant's lease.

A. Maintaining Tenant Records

In order to have the necessary information for reporting, Owner/Manager of affordable housing units are required to maintain a tenant file for each household occupying an affordable housing unit. The file must contain the following information:

- Unit number
- Number of bedrooms in the unit
- Name of the tenant occupying the unit
- Tenant application
- Tenant signed release forms
- Government issued photo I.D. or birth certificate
- Third-party income verification documentation for each household member 18 years and over
- Move-in inspection and annual inspection reports
- Total rent paid by tenant
- Utility allowance
- Tenant subsidy type and amount
- A copy of the current lease or Amendment to the original leas
- Household AMI
- Percentage of tenant income paid on rent
- Household size
- Names and birthdates of all members of the household
- Self-identified race/ethnicity for all members of the household
- Status of the head of household
- Beginning and ending dates of tenants' occupancy
- Reasons unit occupancy has changed
- Household disability status

- Declaration of Section 214 Status (HOME units only)
- Race/Ethnic Data Reporting Form
- Lead based paint acknowledgements (built pre-1978)

The documentation retained shall be sufficient to support the information provided by the Owner/Manager to the city. The Owner/Manager must allow access to these records at any time during normal business hours upon request by the city. Records must be kept in the Owner/Manager's local office.

B. Record Retention

The Owner/Manager must keep all records that are necessary to demonstrate compliance with the Covenant. In order to monitor compliance, records must be retained for a minimum of five years.

3.19 REPORTING REQUIREMENTS

The city requires Owners/manager of rental properties to demonstrate that all program compliance requirements have been met. The annual submission of reports is a key way for Owner/Manager to demonstrate compliance requirements including applicable property standards, affordability, tenant eligibility and occupancy requirements. As part of the city's long-term monitoring, all rental properties are subject to an annual desk review of the following required reports:

A. Annual Tenant Report

Upon completion of initial lease-up and annually thereafter, the Owner/Manager must provide tenant information by submitting an Annual Tenant Report (Exhibit III-H) by January 31st each year. This information includes:

- Identify the designated HOME-assisted units
- Square feet of the unit
- Student status
- Total household assets
- Source of assets

B. Annual Beneficiary Report

The Annual Beneficiary Report (Exhibit III-H.1) is required for all community development projects and some rental housing properties. This report summarizes the number of individuals or households (beneficiaries) that

benefited from services provided by the project/program. This report must be completed on an annual basis and received by the Compliance & Project Manager no later than January 30th of each year.

Only rental housing properties that provide overnight shelter or short-term transitional housing are required to submit an Annual Beneficiary Report. All other rental properties must submit an Annual Tenant Report.

C. Annual Certification of Compliance

As part of our Annual Risk Analysis for the Rental Compliance Program, the Annual Certification of Compliance (Exhibit III-H.2) must be submitted on an annual basis. This report certifies the activities of the past calendar year. The report is required for all permanently affordable rental housing units under Covenant.

D. Operating Income/Expense & Vacancy Report

Any Owner/Manager that manages more than one permanently affordable multifamily rental property is required to submit an annual Operating Income/Expense and Vacancy Report (Exhibit III-H.3) for each property under Covenant.

E. Affirmative Marketing Compliance Report

The Owner/Manager must submit an Affirmative Marketing Compliance Report (Exhibit III-H.4) to demonstrate compliance with the city's Affirmative Fair Housing Marketing Plan or provide a written narrative of the affirmative marketing outreach efforts taken to market permanently affordable rental housing units in the past year. Supporting documentation detailing marketing efforts must be attached.

CIT Compliance staff will monitor for Program compliance by reviewing the all required annual reports. Failure to submit reports as required may be considered an issue of noncompliance.

3.20 PROPERTY STANDARDS

The Owner/Manager shall maintain the Property in good, safe, and habitable condition in all respects, and in full compliance with all applicable laws, ordinances, rules, and regulations. The Owner/Manager is responsible to conduct annual unit inspections and maintain documentation of such inspection in the tenant file. The Compliance & Data Specialist will conduct

regular unit and property inspections to assure compliance with property standards.

All permanently affordable rental units must meet the property standards established by the City of Boulder, including rules related to the control and abatement of lead-based paint and the Uniform Federal Accessibility Standards for accessible units. The property standards are applicable in perpetuity regardless of who manages the property and/or whether the property's Ownership is transferred.

Minimum Property Standards The following minimum property standards apply by specific activity type:

- Acquisition:
  - Applicable state or local housing quality standards and code requirements; and
  - Uniform Federal Accessibility Standards for accessible units, as applicable.
- Rehabilitation:
  - Local written rehabilitation standards;
  - State/local code and standards or model codes; and
  - Uniform Federal Accessibility Standards for accessible units, as applicable.
- New Construction:
  - State/local code and standards or model codes;
  - International Energy Conservation Code; and
  - Uniform Federal Accessibility Standards for accessible units, as applicable.
  - Site and Neighborhood Standards

3.21 LEAD BASED PAINT REQUIREMENTS

When a city-supported project involves acquisition and/or rehabilitation of a property that was constructed prior to 1978, the project is subject to the lead-based paint regulations at 24 CFR Part 35.

The Owner/Manager must understand lead-based paint disclosure and ongoing maintenance obligations which include:

- Disclosure Requirements: Prior to leasing a unit, Owner/Manager of pre-1978 rental properties must:

  - Provide prospective tenants the lead hazard information pamphlet, *Protect Your Family in Your Home* (Exhibit III-I).

  - Provide tenants with a Lead Based Paint Disclosure form (Exhibit III-I.1) and maintain in the tenant file.

  - Disclose any known lead or lead hazards in the property, including the location of lead-based paint and/or lead hazards, and the condition of the painted surfaces.

  - Provide the prospective tenants any records and reports on lead-based paint and/or lead-based paint hazards which are available to the Owner, including records and reports concerning common areas and other units, when such information is obtained as a result of a building-wide evaluation; and

  - Attach to the lease, or insert language in the lease, a *Lead Warning Statement,* that confirms the Owner has compliance with all notification requirements. If an attachment is used, Owners and tenants must sign and date the attachment.

3.22 COMPLIANCE TRAINING REQUIREMENTS

It is the responsibility of the Owner/Manager to ensure that all property management staff receive adequate training to ensure compliance with the terms out lined in the Covenant, Rental Compliance Manual and city policies.

CHAPTER 4: ELIGIBILITY REQUIREMENTS

Potential tenants applying for permanently affordable rental units should be advised early in their initial visit that there are maximum income limits which apply to all properties/units. The Owner/Manager should explain to the applicants that the income of ***all*** persons over eighteen who will occupy the unit must be included and verified prior to occupancy. The Owner/Manager should also explain that once the person or household is determined to be over income upon recertification of income, they will no longer be eligible to renew their lease.

4.1 ELIGIBILITY IN CITY, HOME & LIHTC PROPERTIES

Some of the eligibility requirements outlined in this manual are different from the requirements of the HOME and LIHTC Programs. Please note than in some instances, the city's local requirements are more restrictive than HOME and LIHTC requirements. The Owner/Manager must apply the most restrictive requirements and processes to determine eligibility.

4.2 DEFINITION OF INCOME

The city has adopted the definition of annual income (Exhibit IV-A) as found at 24 CFR Part 5, which is used by a variety of Federal programs including the HOME and LIHTC Programs. A household's annual income is used to determine income eligibility.

4.3 DETERMINING INCOME ELIGIBILITY

Each permanently affordable rental housing property under Covenant with the city, establishes a maximum income limit based on the applicable AMI published annually by HUD. The Owner/Manager must implement the new income limits within forty-five (45) days of the date they are released by HUD. These limits may fluctuate from year to year in response to market conditions. The Owner/Manager must use the most recently published AMI to determine income eligibility at the time of initial occupancy and upon annual recertification of income.

Owners/Manager must determine that a prospective tenant is income eligible before renting a permanently affordable rental housing unit to the household. This means verifying the household's anticipated income and determining that

it does not exceed the maximum income limit established for the unit as outlined in the Covenant executed on the property.

A. Income Calculation

The Eligibility Calculator User Manual Exhibit IV-B was developed by HUD to be an interactive tool that makes determining income eligibility a simple process. The calculator performs income eligibility calculations for CDBG, HOME and a variety of other federal programs. The use of this tool is optional.

When determining the tenant household's income, the following rules apply:

- The income of all adult household members (18 years of age and older) must be included.
- The determination must be based on anticipated income in the next twelve months.
- For initial income eligibility determination, the Owner/Manager must examine third party income source documents to verify the accuracy of the income information that the tenant reports on the application.
- Upon each anniversary of the tenant's move-in date, all household income must be recertified as outlined in Section 4.5(b).

B. Gifts or Contributions

Owners must count as income any regular contributions and gifts received by applicant(s) from other persons not living in the unit. These sources may include rent and utility payments paid on behalf of the applicant(s), and other cash or noncash contributions provided on a regular basis. Temporary, nonrecurring, or sporadic income (including gifts) is not counted as income. Verification of income from gifts is required and may include: Verification of Household Assistance or an affidavit signed by the person or organization providing the gift, stating the frequency and value of the gift; or a verification letter from a bank, attorney, or a trustee administering the gift.

4.4 ASSETS

Annual income includes amounts derived from assets to which household members have access. The city's Asset Policy (Exhibit IV-C) defines an asset

as cash or non-cash resource with economic value that an individual owns or controls with the expectation that it will provide future benefit.

A. Assets in City/HOME/LIHTC Properties

The LIHTC Program requires the Owner/Manager to verify asset amounts and asset income when a tenant asset is more than $5,000. The HOME Program requires all assets income to be verified with source documentation regardless of the amount. The city has adopted HOME's more restricted rule, therefore all asset amounts and asset income must be verified for all applicants of permanently affordable rental housing units.

> ***NOTE:*** When assets are included in the calculation of annual income, it is the imputed income earned from the asset, not the value of the asset that is counted.

B. Asset Limits

The city's local Income & Asset policy (Exhibit IV-C) establishes an Asset Limit for liquid assets. It does not include non-liquid assets. A ***Liquid Asset*** is defined as cash on hand or any asset that can be readily converted to cash. Applicants that have liquid assets that are worth more than one and one-half times their annual combined household income or $15,000, whichever is less, are not eligible to occupy a permanently affordable rental housing unit. When determining the asset limit for the household, it is the market value of the asset that is counted.

> ***NOTE:*** There is not an asset limit required in the HOME or LIHTC Programs. The city's Asset Limit policy was developed as a local rule. Although this policy is more restrictive, it does not create conflict or issues of non-compliance within the HOME or LIHTC Programs.

C. Restriction on Residential Ownership

Applicants that have ownership interest in a residential property in which they could reside are restricted from occupying a permanently affordable rental housing unit.

4.5 INCOME VERIFICATION REQUIREMENTS

Owners/Managers must verify the combined household income of all members 18 years of age and older. Income verification must be completed at the initial occupancy and recertified annually thereafter.

A. Third-Party Income Certification

At the time of initial occupancy and every third year thereafter, the Owner/Manager must verify the combined household income through third party source documentation. Sample income verification forms are included with this manual as Exhibit IV-D.

Acceptable sources of documentation include:

- Wage statements/check stubs for the preceding 60 days;
- Verification of Employment
- Verification of Unemployment Compensation;
- Verification of Alimony and/or Child Support
- Verification of Social Security; and
- Verification of Public Assistance.
- Verification of Assets

B. Recertification of Income

After initial occupancy and prior to lease renewal for intervening years, the Owner/Manager may use an alternative recertification process as outlined below:

1. ***Tenant Written Statement & Certification***:
   The Owner/Manager obtains a written statement from the tenant. The statement must:
   - ✓ Specifies household size and anticipated annual income, and
   - ✓ Certifies that the information is complete and accurate;
   - ✓ Acknowledging that source documentation is available upon

2. ***Government Program Written Statement:***
   The Owner/Manager obtains a written statement from the administrator of a government program under which the tenant receives benefits, and who examines the annual gross income of the tenant's household each year. The statement must:
   - Indicates the household size;
   - Specify the current income limit for the program

- Verify that the household income does not exceed that limit; and
- Acknowledge that the household income is examined each year

C. Effective Term of Verification

Written verifications of income are valid for ninety- (90) days. If the applicant has not moved in within the 90-day period, the information may be verbally updated from the source for an additional thirty (30) days. If the tenant has not moved in within the extended 30-day period, a new written verification must be obtained. Verbal updates must be documented in the applicant's file.

4.6 INCREASE IN HOUSEHOLD INCOME

When the Owner/Manager recertifies the household income and determines that a person or household, whose income increases above the limits set forth in the Covenant/Agreement after initial occupancy, the Owner/Manager may allow the tenant to renew their lease for occupancy of a permanently affordable unit, provided that the combined household gross income does not exceed 140% 60% AMI.

D. Over-Income Tenants

If a person or household income increases above 140% of 60% AMI for the household size, the household is considered over the maximum income limit allowed. Over-income households are not eligible to occupy permanently affordable rental units and therefore the household is no longer eligible to renew their lease when the current lease agreement expires. Please see Section 3.15 regarding non-renewal of lease. The Owner/Manager must provide a minimum of thirty (30) days written notice to the tenant/household.

E. Over-Income Tenants in HOME Units

When an Owner/Manager recertifies a tenant's income, he or she may find that the tenant's income has increased. A tenant is considered over-income when the tenant occupies a unit and the household income increases over the current AMI limit allowed for its household size.

When a tenant is over-income, the unit is no longer eligible to be designated as a HOME-assisted unit. The Owner/Manager must float the HOME-unit designation to another unit with an income eligible household in order to maintain the required unit mix. Since the unit occupied by an over-income

tenant is no longer eligible to be designated as a HOME-assisted unit, the unit reverts back to a non-HOME-assisted unit which is governed by the Covenant.

4.7 DETERMINING RENTS

The city's permanently affordable rental units are subject to rent limits designed to help make rents affordable to low and moderate income households. The city will publish the maximum rents for the city of Boulder based upon the number of bedrooms and applicable AMI. The city uses the maximum rents published by the Colorado Housing Finance Authority (CHFA) to determine maximum rents for Boulder. The city uses the HUD-published HOME rent limits that are established for HOME-assisted units. These rent limits are updated every year to reflect market conditions. If the rent limits go up, the Owner/Manager may raise rents accordingly. If the rent limits go down, the Owner/Manager is required to decrease rents.

It is a violation of the Covenant and city policy for the Owner/Manager charges rents that exceed the maximum rents allowed ***or*** fail to adjust rents when the most recent published limits go down.

> ***NOTE:*** The city's use of CHFA's maximum income and rent limits applies only to the annually published limits and is not an adoption of CHFA's compliance requirements.

B. Maximum Rents

Each Agreement or Covenant executed on a property specifies how the maximum rents are determined based on the targeted AMI and bedroom size. The total rent paid by the tenant ***including*** the established monthly Utility Allowance may not exceed the maximum rent published by CHFA. In the event that the CHFA maximum rent calculation is substantially changed, re-named, or abandoned, the city shall have the discretion to substitute an alternative index which shall be published annually.

C. Maximum HOME Rents

Properties funded with HOME Investment Partnership (HOME) funds are subject to rent limits referred to as "HOME Rents". HOME units are subject to the HUD High or Low HOME rents unless otherwise determined by the City of Boulder. At no time can a tenant be charged more than HOME rent limits even in conjunction with another program. The total rent paid by the tenant

including the established monthly utility allowance may not exceed the High or Low HOME rents established annually by HUD. Current limits are available from the Compliance & Project Manager.

D. Rent Limits in City/HOME/LIHTC Properties

The city's permanently affordable rental housing, HOME and LIHTC programs have different rent limit requirements. When a city-supported unit or HOME-assisted unit is also designated as a LIHTC unit, "the lesser of" rule applies.

Rents for Permanently Affordable units, Low/High HOME Rent units cannot exceed the ***lesser of*** the city-published maximum rent limit, HUD-published Low/High HOME rent limit or the LIHTC rent limit for that unit. This means that the Owner/Manager must determine the maximum allowable rent for each of the programs, and then *use the lower rent*.

> ***NOTE:*** Owner/Manager must implement new rent limits within 45 days of the date they are released by the City of Boulder.

E. Rent Increases

Rent may be increased no more than once each year up to the applicable CHFA maximum rents for Boulder as outlined above. The Owner/Manager must provide tenants with a minimum of thirty (30) days written notice before rent increases may be implemented.

F. Tenants Receiving Subsidy

When a household receives rental assistance such as Section 8 or project based rental assistance, the maximum allowable rent for the unit cannot exceed the applicable published rent limit provided annually by the City of Boulder. This means that the tenant's rental assistance payment plus the tenant's contribution toward rent cannot exceed the published rent limit.

4.8 CITY APPROVAL FOR RENT ADJUSTMENTS

The Compliance & Project Manager must approve the rent structure for all permanently affordable rental housing units at property lease-up and must approve all rent increases annually thereafter.

- Rent increases occur when:
  - The published rent limits increases; or

- The tenant pays utilities and the utility allowances decrease.

- Rent decreases occur when:
  - The published rent limits decrease; or
  - The tenant pays utilities and the utility allowance increases more than the published rent limits.

4.9 UTILITY ALLOWANCE

Utilities represent the average monthly cost of services for electricity and heating. Utilities do not include water, sewer, and trash services. Annually, the city will establish monthly utility allowances for Boulder.

Generally, tenants of permanently affordable rental units in Boulder should not pay more than 30% of their income for rent and utilities. Because many residents pay utilities directly, the amount that they are required to pay for rent is adjusted by a "utility allowance." The utility allowance is a reasonable estimate of the cost of utilities in the area, given the type of building, and the size of the unit. Annually, the city will establish monthly utility allowances for Boulder.

CHAPTER 5: MONITORING

5.1 MONITORING OVERVIEW

When the City of Boulder invests federal and local funds or acquires units through Inclusionary Housing or Annexation, it incurs an obligation to monitor the properties to ensure it is in compliance with all applicable rules and regulations throughout the period of affordability, and to ensure that the property is maintained in accordance with applicable property standards.

Three primary goals of monitoring are to:

- Ensure production and accountability;
- Ensure compliance with all federal and local requirements; and
- Evaluate organizational and project performance as well as project viability (financial health, management capacity, etc.)

Minimum monitoring activities include:

- **Reporting:** Owner/Manager must submit an annual tenant report on rents and occupancy. This report provides data on the affordability requirements that limit occupancy to low-and-very low-income households and restrict rents to affordable levels.

- **Unit & Property Inspections:** Owner/Manager must conduct annual inspections of units to verify that the property is maintained in standard condition and meet applicable housing quality standards, including lead-based paint notification and on-going maintenance requirements, as applicable.

- **Record-Keeping:** Owner/Manager must maintain sufficient records to determine whether the Owner/Manager has met all requirements.

- **Review of Records:** The City of Boulder will review records maintained by the Owner/Manager to verify the accuracy of reports and ascertain compliance.

5.2 MONITORING PLAN

The City of Boulder has an obligation to monitor all city-supported rental housing units and properties to ensure that they comply with applicable requirements. The city's monitoring plan outlines the procedures Compliance

staff will follow when conducting various types of monitoring. These procedures have been developed to be complete, fair and consistent with the city's monitoring activities.

Monitoring compliance falls into three general areas:

> ***Administrative & Financial Monitoring*** ensures that Owner/Manager administers the program properly with necessary fiscal controls. It involves the review of and enforcement of Agreements and Covenants, timely completion of projects, adherence to policies and procedures adopted by the City of Boulder, compliance with administrative requirements, timely and accurate reporting and documentation of accomplishments.
>
> ***Program Monitoring*** determines whether the Owner/Manager has the proper procedures, forms and files in place to carry out a program in compliance with local and federal requirements. It involves the examination of Agreements, Covenants, policies, procedures, program files, financial files, project files structure and maintenance.
>
> ***Project Monitoring*** ensures that each permanently affordable rental housing project meets all applicable requirements, eligible beneficiaries and property standards. A review of tenant files and unit inspections are completed as part of this process.

5.3 TYPES OF MONITORING

Comprehensive monitoring reviews are conducted regularly, even for Owners/Managers of properties with a strong history of good performance and compliance. The Compliance & Project Manager ensures that every permanently affordable rental housing project in the City of Boulder's Affordable Housing portfolio is monitored annually by utilizing three types of review which include:

1. Risk Assessment
2. Desk Review
3. Site Review

A. Risk Assessment

The Compliance & Project Manager performance an annual Risk Assessment to identify which permanently affordable rental housing projects require

comprehensive monitoring throughout the year. High-risk projects include but not limited to:

- New partner in providing permanently affordable rental housing;
- Experiencing turnover in keys staff positions;
- Undertaking multiple funded activities for the first time; and
- Not submitting timely or accurate reports

B. Desk Review

Desk reviews are a key component of basic monitoring activities. This review involves examining information and materials provided by Owners/Managers, as a means to track performance and identify potential problem areas.

This review is conducted by the Compliance & Project Manager on a quarterly and annual basis. Reports may include but not limited to: property compliance, overall project performance, financial health, and rent & occupancy reports.

As most reports only offer a snapshot of a situation, the city may contact Owner/Manager for clarification of information or seek additional information when conducting a desk review.

C. On-Site Review (Site Reviews)

The Compliance & Data Specialist, or other designated representative of the Community Investment Team, conducts Site Reviews and unit/property inspections.

During the Site Review an analysis of randomly selected tenant files and a review of supplemental information is completed along with an inspection of the general physical condition of the units and property. The Site Review consists of two components:

1. Review records and files retained on-site that document the Owner/Manager's compliance with requirements outlined in the Covenant and to verify the accuracy of information provided in the submission of Owner/Manager's annual reports.

2. Conduct a physical inspection of a sample of units at the property to be sure the property is maintained in standard condition

A review of records may include but not limited to the following:

- **General administrative files**: generated in the administration of the

property as a whole, including marketing activities, tenant selection plan, wait list, policies and procedures.

- **Tenant Files**: Related to the tenant and the unit he/she occupies.
- **Unit Files**: Reflect which units are HOME-assisted units at any given point in time.
- **Maintenance Files**: Documentation of all physical improvements made to the property.

NOTE: The city may conduct monitoring or inspections more frequently as needed.

5.4 SITE REVIEW MONITORING PROCESS

The basic framework for conducting Site Reviews consists of three steps which include:

- **Step 1:** Prepare for Site Review - Before the Site Review, the Compliance & Data Specialist will perform an in-house review of project related data.
- **Step 2:** Conduct the Site Review - There are four basic elements to any Site Review.
    - **Notification:** The Compliance & Data Specialist will contact the Owner/Manager to explain the purpose of the visit and agree upon a date and time to conduct the Site Review. Any information needed for the review will be requested at the time of notification.
    - **Entrance Conference**: The Compliance & Data Specialist will meet with the Owner/Manager or designated staff at the beginning of the monitoring visit to make sure the Owner/Manager has a clear understanding of the purpose and scope for the monitoring.
    - **Documentation Review**: The Compliance & Data Specialist will perform a review of tenant files and project related documentation to determine compliance with applicable requirements.

- **Exit Conference**: At the end of the Site Review, the Compliance & Data Specialist will meet again with the Owner/Manager or designated staff to present the preliminary results of the monitoring, secure additional information needed, and to provide the Owner/Manager with an opportunity to respond to questions and concerns.

- **Step 2:** Follow-Up: At the end of the process, the Compliance & Data Specialist will follow-up with the Owner/Manager to ensure that all outstanding questions and/or concerns have been resolved. The Owner/Manager will be given an opportunity to address any area of concern identified in the monitoring, prior to the formal submission of the monitoring letter.

  A written summary of the Site Review will be provided to the Owner/Manager within thirty (30) days of the Site Review. The Owner/Manager will be given thirty (30) days from the receipt of the monitoring letter to address any corrective action required as outlined in the monitoring letter.

5.5 TECHNICAL ASSISTANCE

The city incorporates technical assistance into the overall monitoring plan in an effort to help Owners/Managers understand and comply with all compliance requirements. Technical assistance is not intended to replace formal monitoring but rather serves as a supplemental tool for monitoring to ensure long-term compliance. Technical assistance is offered prior to initial lease-up, based on need as identified in the monitoring process, during staff turnover and is available upon request.

5.6 MONITORING LONG-TERM VIABILITY

Many difficulties in rental project first appear in the form of financial problems. For this reason, the city performs enhanced monitoring to ensure the long-term financial viability of a property. This review is conducted annually through a review of operating income and expense reports, vacancy reports and annual financial statements.

5.7 NONCOMPLIANCE

Any determination of noncompliance will be communicated to the Owner/Manager. A letter to the Owner/Manager will be written notifying them of noncompliance, corrective actions required and the resolution period. The severity and extent of noncompliance may vary. In general, issues of noncompliance fall into three levels of severity

- **Level 1**: One-time instance of noncompliance;
- **Level 2**: Moderate to severe instances of noncompliance that have multiple occurrences, and or suggest that there are problems with management or operational issues in carrying out requirements;
- **Level 3**: Instances of gross negligence, fraud, discrimination, or physical conditions that pose an imminent threat to the health or safety of tenants.

If issues of noncompliance are not resolved within the period of time allotted, the Compliance & Project Manager will investigate and may visit the site to determine the extent of noncompliance.

5.8 TERMS OF ENFORCEMENT

When issues of noncompliance are identified, a range of corrective actions or remedies may be imposed. The type of corrective action depends on the severity of noncompliance. Some examples of remedies may include:

- **Level 1**: Document the issue of noncompliance, follow-up and verify that the issue of noncompliance has been corrected; and or monitor more frequently to ensure that issues of noncompliance are not repeated.
- **Level 2**: Meet with the Owner/Manager to correct the issue of noncompliance; document the meeting and directives in a follow-up letter, verify that all issues of noncompliance have been corrected; and monitor more frequently and provide technical assistance as needed.
- **Level 3**: Meet with the Owner/Manager to identify issues of noncompliance and establish a timeframe for corrective action, execute a formal agreement which specifies the terms and conditions to address the issue of noncompliance. Notify the City Attorney's Office if full compliance within the allotted resolution period is not satisfied. The

City Attorney's Office may pursue whatever legal action necessary to correct the situation.

NOTE: The city reserves the right to take the corrective actions as referenced above and as outlined in the Agreement and/or Covenant. Any issues of noncompliance in a permanently affordable rental housing property that also has Low Income Housing Tax Credit (LIHTC) assistance, may be reported to the state tax credit authority.

EQUAL HOUSING OPPORTUNITY

Last Revision: October 2016

EXHIBIT III-A

EQUAL HOUSING OPPORTUNITY

We Do Business in Accordance with the Federal Fair Housing Law

(The Fair Housing Amendments Act of 1998)

- In the sale or rental of housing or residential lots
- In the provision of real estate brokerage services

It is illegal to Discriminate Against Any Person Because of Race, Color, Religion, Sex, Handicap, Familial Status, or National Origin

- In advertising the sale or rental of housing
- In the financing of housing
- In the appraisal of housing
- Blockbusting is also illegal

Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination: 1-800-669-977 (Toll Free) 1-800-927-9275 (TTY)

U.S. Department of Housing and Urban Development Assistant Secretary for Fair Housing and Equal Opportunity Washington, D.C. 20410

EXHIBIT III-B

AFFIRMATIVE FAIR HOUSING MARKETING
PLAN AND PROCEDURES

Equal Housing Opportunity

1300 Canyon Blvd. Boulder, CO. 80302
(303) 441- 4196
www.bouldercolorado.gov

I. STATEMENT

This Affirmative Fair Housing Marketing Plan and Procedures ("Marketing Plan") is developed for use with the Community Development Block Grant (CDBG) and HOME Investment Partnership ("HOME") Program regulations and in furtherance of the City of Boulder, Division of Housing ("the City") commitment to non-discrimination and equal opportunity housing. The City has established procedures to affirmatively market units which have been acquired, rehabilitated, constructed or otherwise assisted under the CDBG and/or HOME Programs. The City is committed to the goals of non-discrimination and equal access. In addition, the City is committed to the goals of increasing the housing opportunities with limited English proficiency, low-income residents and under-represented ethnic and racial groups. These goals will be reached through the implementation of the City Affirmative Marketing Plan. The implementation of this plan should result in a diverse tenant population in each of the affordable housing developments, with a representation of ethnic and racial groups which is consistent with their representation in the City of Boulder.

The Affirmative Marketing Plan is a commitment of the City's staff, and the CDBG/HOME-funded participant ("Grantee") to affirmatively further Fair Housing. The Grantee shares responsibility with the City in informing the public about the Federal Fair Housing laws, soliciting eligible persons without regard to race, color, national origin, sex, sexual orientation, source of income, religion, familial status, or disability into the affordable housing market and evaluating the effectiveness of these marketing efforts.

Affirmative marketing differs from general marketing activities because it specifically targets potential tenants and home buyers who are least likely to apply for and/or purchase affordable housing. Efforts must be made to make these persons aware of the available affordable housing. This Marketing Plan is a guide to assist the City and its grantees by summarizing the affirmative marketing procedures required by HUD.

This Plan is documented and maintained in the City of Boulder, Division of Housing files, and shall be included by reference in all federally funded project funding agreements and project files. The Grantee is held to the terms of the Marketing Plan by the requirements in the applicable CDBG/HOME agreement.

II. PURPOSE

In accordance with HUD regulations of the CDBG/HOME Programs and in furtherance of the City's commitment to non-discrimination and equal housing opportunity, the City establishes procedures to affirmatively market the distribution of its annual CDBG/HOME allocation and housing units acquired, constructed or rehabilitated under the CDBG/HOME Program.

It is the Affirmative Marketing Policy of the City to assure that organizations, non-profit and for-profit, and local units of government which might not normally apply for use of the CDBG/HOME funds because they are unaware of the availability of said funds:

- be informed of /CDBGHOME funding availability
- be encouraged to apply for use of CDBG/HOME funding
- have an equal opportunity to apply for use of CDBG/HOME funding

It is the Affirmative Marketing Policy of the City to assure that individuals who normally might not apply for available affordable housing units because they are socially and/or economically disadvantaged:

- to be informed of available housing units;
- be encouraged to apply for available housing units; and
- have an equal opportunity to rent/own their own housing units

The City of Boulder actively promotes fair housing through:

- ongoing funding of fair housing services;
- adoption and implementation of an "Analysis of Impediments to Fair Housing Choice";
- adoption of a Consolidated Plan for CDBG/HOME programs, with an analysis and strategy for fair housing every five years, and in the Annual Action Plan; and
- annual monitoring of fair housing activities through monitoring of fair housing services and reporting on ongoing activities in its Consolidated Annual Performance and Evaluation Report (CAPER).

The City of Boulder, Division of Housing is responsible for the implementation of the Affirmative Marketing Plan and all owners, developers, Community Housing Development Organizations and other nonprofits must comply with this policy for all CDBG, HOME and City funded housing developments.

III. METHOD TO DISSEMINATE AFFIRMATIVE FAIR HOUSING MARKETING REQUIREMENTS

The City will use the following methods to inform the public, potential tenants, potential homeowners, potential and existing for-profit developers, potential and existing non-profit developers, and local units of government about Federal Fair Housing laws and Affirmative Fair Housing Marketing Plan and Procedures.

A. The City staff shall be responsible for implementing the Marketing Plan and evaluating its effectiveness as required by the CDBG/HOME Program.

B. The City shall inform the community about its Affirmative Marketing Policy through periodic updates at public forums and Fair Housing meetings, as well as training workshops with its CDBG/HOME grantees or other similar forums.

C. The City shall provide fair housing information/referrals, case investigation services, tenant/landlord information/referrals and mediation services.

D. The City will collaborate with the office of Human Rights to reduce discrimination in housing.

E. The City shall refer tenants and rental property owners to the Human Services Division https://bouldercolorado.gov/child-youth-family regarding tenant and landlord rights and responsibilities.

F. The City will provide information about fair housing, fair housing service providers, fair housing brochures and a copy of the City's Affirmative Marketing Plan shall be

available on the City's Division of Housing, Compliance Management website https://bouldercolorado.gov/housing/grants-compliance-and-asset-management.

G. The City will continue to provide general information and telephone reference numbers to persons contacting the City of Boulder, Division of Housing Office with questions regarding Affirmative Marketing and Federal Fair Housing laws.

H. The City shall require that Grantees of CDBG and/or HOME funded rental/homebuyer housing provide an annual report describing how their actions have complied with the City's Affirmative Marketing Plan. (see attachment "A")

I. The City shall periodically post flyers and brochures which describe fair housing laws and services in open public areas.

J. Grantees of CDBG/HOME funds shall instruct all employees and agents on the policy of nondiscrimination of fair housing both in writing and orally.

IV. CITY'S AFFIRMATIVE MARKETING REQUIREMENTS

The City will, at least annually, adhere to the following, or similar, Marketing Plan policies regarding announcement of availability of CDBG/HOME funds:

A. Post a notice of CDBG/HOME funding availability on the City's website.

B. Establish and maintain a database of potentially qualified for-profit and non-profit developers and direct mail/email invitations to apply for funding.

C. E-mail notices of available funding to the City's Housing distribution list.

V. CITY'S REQUIRED AFFIRMATIVE MARKETING RECORD KEEPING

In order to verify that the City is following Marketing Plan requirements, the following record keeping procedures will be required:

A. The City will maintain records of how CDBG/HOME funding availability was advertised.

B. Copies will be maintained of all training materials and meeting agendas where the City's Affirmative Marketing Plan/Policy was discussed.

VI. GRANTEES AFFIRMATIVE FAIR HOUSING MARKETING REQUIREMENTS

It is the City of Boulder's policy to require that each Grantee or owner of rental or homeownership project carried out with CDBG, HOME, and/or City funds:

A. Incorporate an Equal Housing Opportunity statement or logo in any correspondence associated with rental or home ownership opportunities developed with the use of City's HOME funds.

B. All marketing of HOME-assisted housing will be jurisdiction-wide and all advertising will be placed in sources of wide circulation. All ads must contain an Equal Housing Opportunity statement or logo.

C. Media sources should include advertisement to a particular audience (e.g., newspapers or radio stations that serve protected classes).

D. All advertisements, brochures and other written materials should be published and displayed in at least both English and Spanish, in order to reach non-English speaking audiences.

E. Contact must be made with organizations whose membership or clientele consists primarily of protected class members.

F. Notify the Public Housing Authority or Authorities in the City in which units are located when HOME-assisted units are available for rent or purchase.

G. The project owner must display the Equal Opportunity logo

H. Grantee must maintain a nondiscriminatory hiring policy

I. A Fair Housing Poster must be prominently placed in all offices in which sale or rental activities pertaining to the project takes place.

J. Grantee must post a Equal Housing Opportunity logo or statement on project sites

K. Grantees should submit the Affirmative Marketing Fair Housing Plan to the City for review within 120 days prior to initiating sales or rental marketing activities. The City will review and consider approval of the plan within 30 days of submission.

VII. GRANTEE'S RESPONSIBILITY TO INFORM PERSONS NOT LIKELY TO APPLY FOR HOUSING WITHOUT SPECIAL OUTREACH

A. Grantee is encouraged to utilize the City's Affirmative Marketing Plan to organize and develop their own affirmative marketing plan.

B. Target outreach through a verity of means to ethnic and racial groups that are underrepresented in the housing development based on their representation in the City.

C. At a minimum, utilize local churches, places of worship, nonprofit and community organizations that serve the underrepresented group(s) to distribute information about housing openings. Grantee may use the City's outreach list to assist in their outreach.

D. Provide advertising in the language the group is most familiar with and provide a contact person who can answer questions in the language primarily spoken by the targeted group.

E. Conduct outreach to applicable homeless, advocacy groups and other organizations identified by the City which serve groups that may need special assistance to apply for housing. (see attachment "C")

F. Grantee is encouraged to post a notice of available housing on their website.

VIII. GRANTEE REQUIRED AFFIRMATIVE MARKETING RECORD KEEPING

In order to verify that City's Grantees are following Marketing Plan, the City requires the following record keeping procedures will be required:

A. Grantee maintains records of how vacancies were advertised (copies of advertisements, etc.).

B. Copies of all brochures, leaflets, and letters to community contacts shall be maintained in an easily accessible file.

C. Grantee shall have a written policy that outlines how all applications will be reviewed and processed. Grantee records should show how all completed and filed applications were processed including whether an applicant was accepted or unaccepted and why an applicant was not accepted.

D. Maintenance of information on the race, sex, ethnicity, and whether the applicant is disabled for all applicants, home buyers, and tenants. The City will monitor the Grantee at least an annual basis.

This information will be gathered when an application is taken for either a tenant or a home buyer and information will be maintained during the entire period of affordability.

IX. CITY'S ASSESSMENT OF ITS AFFIRMATIVE MARKETING POLICY

The following actions will be taken by the City to evaluate the success of its Affirmative Fair Housing Marketing Policy and that of its Grantees:

A. The City will assess the results of its Affirmative Fair Housing Marketing Plan annually with a summary of "good faith efforts" taken by the City and Grantees.

B. The City will compare the information compiled in the manner described under Section V and Section VII above and evaluate the degree to which statutory and policy objectives were met. If the required steps were taken, the City will determine that good faith efforts have, in fact, been made.

C. To determine results, the City may examine whether specific groups in the City's service area applied for or became tenants or owners of HOME units that were affirmatively marketed. If the City finds that specific groups are represented, particularly Hispanics, African Americans, Asians, American Indians, persons with disabilities, and women, the City will assume that the Marketing Plan procedures were effective. If one or more groups are not represented within the context of existing neighborhood composition, the City will review its procedures to determine what changes, if any, might be made to make the affirmative marketing efforts more effective.

D. The City will take corrective action if it is determined that a Grantee has failed to carry out Affirmative Marketing efforts as required. If a Grantee continues to neglect responsibilities made incumbent by the terms of the CDBG or HOME Agreement, the City will consider taking one or both of the following actions:

    1. Declare the Grantee disqualified from any further assistance made available under the CDBG/HOME Program.

    2. Notify the Grantee of the CDBG/HOME Program funds that were in violation of the terms of the CDBG or HOME Agreement and the City may exercise its right to require immediate repayment of the CDBG/HOME funding.

E. The City will not proceed with corrective action without allowing time and effort by staff to counsel the Grantee in accordance with the terms of the CDBG or HOME Agreement.

EXHIBIT B – continued

Sample Affirmative Marketing Plan

In accordance with the City of Boulder's administering federally funded programs and to comply with all applicable Federal Regulations,_____, will adopt the following procedures to implement an Affirmative Marketing Plan as specified in the HOME Final Rule § 92.351 for _____ property located at_____.

I. Policy on Nondiscrimination and Accessibility

With respect to the treatment of applicants, _____ will not discriminate against any individual or family because of race, color, national origin, religion, gender, disability, familial status or presence of family in a household. Reasonable accommodations will be offered to all disabled persons who request accommodations due to disability at any time during the application, resident selection and rent up process.

II. Training

a. _____shall provide property management staff with all relevant regulations and Fair Housing provisions. All property management staff shall be required to follow the procedures and policies adopted by Boulder Housing Partners and Managing Agent.

b. On-site training programs shall include marketing, outreach, data collection, reporting, and record keeping. Property management staff shall annually receive instruction regarding fair housing laws and Development's Affirmative Marketing Plan.

III. Marketing and Outreach

a. All advertising shall display the Equal Housing Opportunity logo or the phrase "Equal Housing Opportunity".

b. Consistent with the resident population this Development was designed to serve, the marketing of _____ property will ensure equal access to appropriate size units for all persons in any category protected by federal, state, and local laws governing discrimination. There will be no local residency requirements for applicants nor will preference be given to local residents for this Development.

   Special marketing outreach consideration will be given to the following underserved populations:

   a. African-Americans
   b. American Indians
   c. Hispanics
   d. Asian and Pacific Islanders
   e. Handicapped and Disable Persons

c. Marketing shall include the use of newspapers of general circulation in the City of Boulder. The Managing Agent will place notices in newspapers, specialized publications, and newsletters to reach potential residents. Applications, notices and all publications will include a Fair Housing and Equal Opportunity Logo, and the Accessibility Logo. Community media advertisements of the projects will be through the Boulder Daily Camera.

d. The Managing Agent will contact local civil and community organizations representative of the ethnic and cultural diversity of the area in order to disseminate information about the Development. Groups representing the handicapped and the elderly will also be contacted. Where necessary and in consultation with (OWNER), the Managing Agent will publish its marketing materials in multiple languages in order to better reach potential applicants in the area with language limitations.

To further inform the groups least likely to apply for the available housing, the following local organizations will be contacted with housing information:

Name of Organization	Population Served
	Handicapped, Disabled
	Seniors
	Latino
	Native American

e. Other neighborhood-based, nonprofit housing agencies that maintain waiting lists or make referrals for below market rate housing will be contacted.

Agency Name	Address	Telephone

IV. Race and Ethnicity Data Collection and Reporting

a. Any family who asks shall receive an application package containing the following: Instruction sheet; Application; Income Summary; and form HUD-24061-H "Race and Ethnicity Data Reporting Form." _____ are required to offer each household member the opportunity to complete the form. Parents or guardians are to complete the form for children under the age of 18. Completed documents for the entire household shall be stapled together and placed in the household's file.

b. The Managing Agent will serve as coordinator of the marketing of (PROJECT NAME) as well as oversee the admission of residents. The Managing Agent will keep (OWNER) apprised of the occupancy progress through monthly marketing reports which will include the number of applicants to (PROJECT NAME), unit preference, number of actual occupants, ineligible applicants, and cancellations.

V. Compliance Assessment

a. _____ will review the Affirmative Marketing Plan every five years and update as needed to ensure compliance. The advertising sources will be included in the review to determine if past sources should be changed or expanded.

b. _____ will annually assess the success of affirmative marketing actions for _____ property. If the demographic

data of the applicants and residents vary by (%) from the jurisdictions population data, advertising efforts and outreach will be targeted to underrepresented groups in an attempt to balance the applicants and residents with the demographics of the jurisdiction.

VI. Record Keeping

a. _____ property shall establish and maintain an Affirmative Marketing file to hold advertisements, flyers and other public information documents to demonstrate that the appropriate logo and language has been used. Additionally, _____ property shall keep records of its activities in implementing the affirmative marketing plan, including other community outreach efforts and its annual analysis.

b. _____ property shall keep up-to-date records based on census data, applications and surveys about community residents, applicants, residents of the project, and records about tenant selection or rejection

c. _____ shall provide HUD, Division of Housing and HOME staff access to any pertinent books, documents, papers or other records of their HOME-assisted properties, as necessary, for determining compliance with civil rights and nondiscrimination requirements.

_____ _____

Owner/CEO or Equivalent Signature Date

_____ _____

Compliance & Project Manager Signature Date

EXHIBIT B - continued

AFFIRMATIVE MARKETING OUTREACH LIST

To further inform the groups least likely to apply for the available housing, the following local individuals and organizations will be contacted with housing information:

Organization	Contact Name	Phone	Email
Acorn Child Development Center	Matt Eldred	303-938-8233	director@theacornschool.org
Boulder Asian Pacific Alliance	Brenda Pearson	303-499-0108	info@bapaweb.org
Boulder County Aids Project	Celeste LeBlanc	303-444-6121	celeste@bcap.org
Boulder Shelter for the Homeless	Greg Harms	303-468-4311	greg@bouldershelter.org
Bridge House	Isabel McDevitt	303-442-8300	isabel@bouldercarriagehouse.org
Care Connect	Emily Ditty	303-443-1933 x 405	emilyditty@careconnectbc.org
Center for People with Disabilities	Aaron Pasterz	303-442-8662 x119	aaron@cpwd.org
Clinica Family Health Services	Shannon Roquemore	303-412-8180 x5290	cschauffler@clinica.org
Emergency Family Assistance	Liz Shaw	303-951-7679	liz@efaa.org
Imagine	Mathew Barnert	303-926-6479	mbarnert@imaginecolorado.org
Immigrant Legal Center	Laruel Herdon	303-444-1522	laurel@boulderayuda.org
Mental Health Partners	Barb Guastella	303-443-6154 x 21	bguastella@bhpcolorado.org
Native American Rights Fund	Rose Conley	303-447-8760	
New Horizon Preschool	Isolde Stewart	303-442-7434	isoldestewart@gmail.com
Parenting Place	Brittney Kadalenas	303-449-0177	
Safehouse Progressive Alliance	Anne Tapp	303-449-8623	anne@safehousealliance.org
Via Mobility Services	Lenna Kottke	303-447-2848 x103	lenna@specialtransit.org
West Boulder Senior Center	Betty Kilsdonk	303-441-4388	kilsdonkb@bouldercolorado.gov
YWCA of Boulder County	Janet Beardsley	303-443-0419	janet@ywcaboulder.org

EXHIBIT III-C

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Boulder will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The City of Boulder does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: The City of Boulder will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Boulder programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The City of Boulder will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the City of Boulder offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Boulder**,** should contact Kevin Krayna, at (303) 441-3061 in the office of Risk Management as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Boulder to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the City of Boulder is not accessible to persons with disabilities should be directed to Kevin Krayna, at (303) 441-3061 or email at kraynak@bouldercolorado.gov.

For employment related complaints, please contact Joyce Lira, Human Resources Director, at 303-441-1948 or email liraj@bouldercolorado.gov.

The City of Boulder will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

EXHIBIT III-C.1

TITLE I EMPLOYMENT

1. **DISABILITY means,** with respect to an individual:

   A. A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
   B. A record of such impairment; or
   C. Being regarded as having such an impairment (even though the individual does not have such an impairment).

   If an individual meets any one of these three tests, he or she is considered to be an individual with a disability for purposes of coverage under the ADA.

2. **MAJOR LIFE ACTIVITIES means** functions such as caring for one's self, performing manual tasks, walking, hearing, seeing, breathing, learning, and working.

3. SUBSTANTIALLY LIMITS - means significantly restricted, more than minor impairments. With respect to 'work it means significantly restricted ability to perform either a class or broad range of jobs. The inability to perform a single, particular job does not constitute a substantial limitation.

4. PHYSICAL or MENTAL IMPAIRMENT means any psychological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense including speech organs, cardiovascular, reproductive, etc. It also means any mental or psychological disorder such as mental retardation, or mental illness, or specific learning disorder, or drug addiction or alcoholism.

   Psychological or mental disorder does not include most sexual behavior disorders or gender identity disorders such as exhibitionism, voyeurism, or transsexualism.

   Use of drugs

   An individual who is currently using illegal drugs is specifically excluded from the definition of a "qualified person with a disability" even if otherwise meeting the definition

6. **ACTIVITIES** AND **PRACTICES** COVERED UNDER **TITLE I**
   Discrimination is prohibited in all aspects of employment including:

A.	Application procedures (i.e. advertising, recruiting and testing)	D.	promotion
		E.	pay
		F.	training
		G.	seniority
B.	hiring	H.	layoff and recall
		I.	leave
C.	firing	J.	fringe benefits

7. QUALIFIED INDIVIDUAL WITH A DISABILITY means a person who meets legitimate skill, knowledge, experience or education requirements of a position that he/she holds, or seeks to hold, and can perform the essential functions of the position with or without reasonable accommodations.

Note - requiring the ability to perform the essential functions assures that an individual will not be disqualified because he or she is unable to perform incidental or marginal job *functions*.

Determination of whether an individual with a disability is qualified is t-o be made at the time of the employment decision, and not based on speculation that the employee may become unable in the future.

8. ESSENTIAL JOB FUNCTIONS means the *fundamental job* duties of the position the individual with the disability holds or desires. A function may be essential because: it is the reason a position exists (a typist must be able to type), there are a limited number of employees among whom the function can be distributed, or the function is highly specialized.

Some criteria for determining whether a particular function is essential:

A. The employer's judgement;
B. Identification in a job description prepared in advance of advertising or interview;
C. The amount of time spent on the function; and
D. The consequences of not performing the function.

9. REASONABLE ACCOMMODATION means any modification to a job or work environment that will allow a qualified applicant or employee with a disability to participate in the application process or to perform the essential job functions.

An accommodation may include restructuring a job, modifying work schedules, providing qualified readers or interpreters, or modifying examinations. It may also mean reassigning a current employee who becomes disabled to a vacant position for which he/she is qualified.

Reasonable accommodation does not mean lowering either quantity or quality standards for essential job elements. For instance where a predetermined job standard stated that a custodian must complete certain tasks within a specific time period, it would be permissible to exclude a disabled person who could perform the tasks but took twice as long.

10. PERSONAL ASSISTANTS - The regulations are vague and the extent to which employers are required to accommodate disabled employees by providing personal assistants. All that is stated is that "Providing personal assistants, such as page turners for an employee with no hands or a travel attendant to act as a sighted guide to assist a blind employee on occasional business trips, may also be a reasonable accommodation."

11. JOB RESTRUCTURING - Entails "reallocating or redistributing non-essential marginal job functions" or "altering when or how an essential function is to be performed". An employer is not required to reallocate essential functions or to make an accommodation involving the restructuring of a job that would fundamentally alter the requirements of a position.

12. REASONABLE ACCOMMODATION IS NOT REQUIRED WHEN it would impose an undue hardship on the operation of the employer's business.

13. **UNDUE HARDSHIP** means an action requiring significant difficulty or expense when considered in relation to the size, resources, nature and structure of the employer's operation.

Criteria that would be used to determine if an accommodation presented an undue hardship would include: the nature and cost of the accommodation; the overall *financial resources* of the City, not just of the department or work group; the impact of the accommodation on the ability of other employees to perform their duties; and the impact on the *organization's ability* to conduct business.

14. DIRECT THREAT (to **applicants, employees or the public)** - The City may require as qualification standard, that an individual not pose a direct threat to the *health or* safety of himself/herself or others. Like any other qualification *standard, such* a standard must apply to all applicants or employees and not just to individuals with disabilities.

If the threat is the result of a disability, the employer must determine whether a reasonable accommodation would either eliminate the risk or reduce it to an acceptable level. If no such accommodation exists, an employer may refuse to hire an applicant or may discharge an employee.

The risk can only be considered when it poses a significant risk, i.e., high probability of substantial harm. All decisions related to determining whether an employee or applicant poses a substantial risk must be made on a case by case basis.

The following factors are to be considered when determining whether or not an employee or applicant poses a direct threat:

A. Duration of the risk;
B. Nature and severity of the potential harm;
C. Likelihood that the potential harm will occur; and
D. Imminence of the potential harm.

15. TESTING - If a test is intended to measure skills, aptitude, or other factors, it must be administered in a way which does not reflect impaired sensory (most typically hearing or vision), manual, or speaking skills.

A test which judges the sensory, manual or speaking skills of an applicant may do so only if that is the purpose of the test and because those skills are relevant to the job.

We have the duty to provide a reasonable accommodation to a *disabled person* in the administration of a test when we know the individual is disabled and the disability involves sensory, manual, or speaking skills. For example, if we know an applicant is blind, we are required to provide a reader or other oral or braille version of the test.

ADA implies that we give notice to all job applicants that tests are required so that if an applicant requires an accommodation, they can give reasonable notice of their specific need.

Physical agility tests are not medical exams.

16. **PRE-EMPLOYMENT EXAMINATION** OR INQUIRY - There are no circumstances under which we may inquire on an application or in an interview whether, or to what extent, an applicant is disabled.

We can only ask if the applicant can perform job functions. If we know the applicant has a disability we can ask how he/she can perform functions with or without accommodations we may consider difficult or impossible because of the disability.

17. ATTENDANCE - An employer cannot ask how often the individual will require leave for treatment or how often they will use leave for treatment or use leave as result of a disability.

18. MEDICAL EXAMINATIONS - Regulations prohibit all medical examinations made prior to a job offer. An employer cannot inquire as to whether an individual has a disability at the pre-offer stage of the selection process, nor can an employer inquire at the pre-off.er stage about an applicant's workers' compensation history.

However, the regulations do allow required medical examinations after an employment offer has been made. An employment offer may be made conditional upon the results of a medical examination providing that all entering employees in the same job category are subject to such an examination regardless of disability.

EXHIBIT III-C.2

City of Boulder
Grievance Procedure Notice
Title II of the Americans with Disabilities Act

Under Title II of the Americans with Disabilities Act (ADA) the City of Boulder is required to make city facilities, services and programs accessible to people with disabilities and in compliance with the ADA.

If you feel that you have not been able to access City of Boulder facilities, services or programs, or have been discriminated against based upon your disability, please call Kevin Krayna at 303-441-3061 or fill out the ADA Complaint Form. For employment related matters, please call Joyce Lira at 303-441-1948.

Your complaint will be investigated and you will be contacted with the results, or how to further proceed. This form and process are designed to provide you with the opportunity to quickly and effectively resolve any issues as they relate to the ADA and the City of Boulder. For organizations or businesses outside the City's responsibility, please contact the Department of Justice at 1-800-514-0301.

EXHIBIT III-C.3

City of Boulder
ADA Complaint Form

Kevin Krayna
Safety and Workers' Compensation Coordinator
1301 Arapahoe Ave, Boulder, CO 80302
Phone: (303) 441-3061
Email: kraynak@bouldercolorado.gov

For employment related complaints, please contact:
Joyce Lira
Human Resources Director
3065 Center Green Dr, Boulder, CO 80301
Phone: 303-441-1948
Email: liraj@bouldercolorado.gov

Instructions: Please fill out the form completely.

Name: _____

Address:_____**City**: _____

State: _____**Zip Code**: _____

Home #: _____ **Work #:** _____ **Cell #:** _____

Email Address: _____

Reason for Grievance/Complaint: Please be specific and provide as much information as possible, such as location, date, time, names, etc…

_____

_____

_____

_____

_____

_____

_____

What do you think should be done to resolve this issue?

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Signature:_____ **Date:** _____

This information will be held in confidence unless instructed otherwise by you.

If you have questions about this form, need an accommodation, or a different format, please contact the City of Boulder, Kevin Krayna, at (303) 441-3061 or for employment related accommodations, Joyce Lira at (303)441-1948

Sign and return original with signature to:

Kevin Krayna
Safety and Workers' Compensation Coordinator
1301 Arapahoe Ave, Boulder, CO 80302
Phone: (303) 441-3061
Email: kraynak@bouldercolorado.gov

For employment related complaints, please contact:
Joyce Lira
Human Resources Director
3065 Center Green Dr, Boulder, CO 80301
Phone: 303-441-1948
Email: liraj@bouldercolorado.gov

Please allow us 30 business days, from the date of receipt, to investigate and respond to your complaint.

EXHIBIT III-D

Sample TENANT SELECTION PLAN

The property is (is not) limited to specific family types, such as those who are elderly or disabled. However, the owner shall make vacant units in an elderly project generally available to otherwise eligible families who apply for housing, without regard to the preferences if there are an insufficient number of families for whom elderly preference has been given to fill all the vacant units.

Assistance in subsidized housing 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. Non-citizen applicants will be required to submit evidence of eligible immigration status at the time of application. Applicants who hold a non-citizen student visa are ineligible for assistance, as are any non-citizen family members living with the student.

Applicants must disclose and provide documentation of Social Security Numbers (SSN) for all family members at least six years of age and older. If a SSN has not been assigned to a particular family member, the applicant must sign a certification. If an applicant does not have the required documentation, the applicant may submit the SSN and certify that the number is accurate. However, the applicant cannot become a participant in the program unless they submit the required SSN documentation. Documentation must be provided within 60 days from the date on which the applicant certified that the documentation was not available.

The apartment unit must be the family's sole residence and under no circumstance may any tenant benefit from more than one subsidy.

All family members who are 18 years of age or older will be required to sign consent and verification forms. All information reported by the family is subject to verification.

Applicants must agree to pay the rent required by the program under which they will receive assistance.

INCOME ELIGIBILTY REQUIREMENTS

HUD establishes and publishes income limits annually based on family size for each county in the United States based on the median income of the geographic area. Income limits for this property are listed below:

- Low-income limit 80% of median income
- Very low-income limit 50% of median income
- Extremely low-income limit 30% of median income

Owners must make at least 40 percent of the assisted units that become available each year (project's fiscal year) available for leasing to families whose income do not exceed 30 percent of the area median income (extremely low-income) at the time of admission If the owner actively marketed at least 40 percent of the annually available units to extremely low-income families but was unable to fill all of the units with families meeting the requirement, the owner is permitted to

rent to other eligible families after a reasonable marketing period has expired.

OCCUPANCY STANDARDS

Unit Size	Minimum Occupants	Maximum Occupants
0	1	1
1	1	2
2	2	4
3	3	6

A single person cannot occupy a unit with two or more bedrooms unless one of the following applies:

- A person with a disability who needs the larger unit as a reasonable accommodation.
- A displaced person when no appropriately sized unit is available.
- An elderly person who has a verifiable need for a larger unit.
- A remaining family member of a resident family when no appropriately sized unit is available.

A smaller unit size may be assigned upon request; only if occupancy of the smaller unit will not cause serious overcrowding and will not conflict with local codes.

A larger unit size may be assigned upon request if one of the following conditions exists:

- No eligible family in need of the larger unit is available to move into the unit within 60 days, the property has the proper size unit for the family but it is not currently available, and the family agrees in writing to move at its own expense when a proper size unit becomes available.
- The family needs a larger unit as a reasonable accommodation for a family member who is a person with a disability.
- If a family, based on the number of members, would qualify for more than one unit size, the owner must allow the family to choose which unit size they prefer.

PROTECTIONS

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

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

The Landlord may request in writing that the victim, or a family member on the victim’s behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence,

Dating Violence or Stalking, Form HUD-91066, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

APPLICANT SCREENING CRITERIA

All applicants age 18 or older will be screened for suitability prior to residency. Screening criteria will be applied consistently to all applicants, consideration of extenuating circumstances will be considered in the screening process.

Credit History:
Priority will be given to current credit activity over older activity. All rent and utilities must be paid in full. Poor credit history is grounds for rejection; however a lack of credit history is not.

Rental History:
Past record of destruction, consistent late or unpaid rental obligations, police activity or poor housekeeping habits resulting in health or safety hazards is grounds for rejection. Lack of rental history is not grounds for rejection.

Criminal History:
Applicants will be rejected if any of the following apply: *(Note: The same criteria regarding criminal history applies to live-in aides also.)*

- Any household member has been evicted from Federally-assisted housing for drug-related criminal activity, for three years from the date of eviction. If the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program or circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household) the Owner may, but is not required to, admit the household.
- Any household member is currently engaging in illegal drug use.
- Any member of the household is subject to a lifetime registration requirement or is currently registered under a state sex offender registration program. During the admissions screening process, the Owner must perform the necessary criminal history background checks in the state where the housing is located and in other states where the household members are known to have resided.
- The Owner determines that there is reasonable cause to believe that a household member's illegal use (or a pattern of illegal use) of a drug or abuse (or pattern of abuse) of alcohol may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. (Screening standards must be based on behavior, not the condition of alcoholism.)
- Any member of the applicant's household has been convicted of the manufacture of methamphetamine on the premises of federally subsidized housing (lifetime).
- Violent criminal activity.

- Any criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents, the owner or any employee who is in involved in the housing operations.
- Unlawfully obtaining government assistance.

NOTIFICATION OF APPLICANT REJECTION

If an applicant is denied admission to the property they will receive a written notice stating the reason (s) for the rejection. The applicant has the right to respond in writing or request a meeting to dispute the rejection within 14 days of the notice. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process. If admission is denied because criminal background screening indicates the applicant provided false information; the entity making the determination must provide the subject of the record and the applicant a copy of the information the action is based upon. The subject of the record, and the applicant have the opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.

Declaration of Citizenship

INSTRUCTIONS: Complete this Declaration for each member of the household.

LAST NAME_____

FIRST NAME_____

RELATIONSHIP TO HEAD OF HOUSEHOLD _____ SEX _____ DATE OF BIRTH _____

SOCIAL SECURITY NO._____ ALIEN REGISTRATION NO._____

ADMISSION NUMBER_____if applicable (this is an 11-digit number found on DHS Form I-94, *Departure Record*)

NATIONALITY _____ (Enter the foreign nation or country to which you owe legal allegiance. This is normally but not always the country of birth.)

SAVE VERIFICATION NO._____
(to be entered by owner if and when received)

INSTRUCTIONS: Complete the Declaration below by printing or by typing the person's first name, middle initial, and last name in the space provided. Then review the blocks shown below and complete either block number 1, 2, or 3:

DECLARATION

I, _____ hereby declare, under penalty of perjury, that I am _____
(print or type first name, middle initial, last name):

_____ 1. A citizen or national of the United States.

Sign and date below and return to the name and address specified in the attached notification letter. If this block is checked on behalf of a child, the adult who will reside in the assisted unit and who is responsible for the child should sign and date below.

_____ _____
Signature Date

Check here if adult signed for a child: _____

_____ 2. A noncitizen with eligible immigration status as evidenced by one of the documents listed below:

NOTE: If you checked this block and you are 62 years of age or older, you need only submit a proof of age document together with this format, and sign below:

If you checked this block and you are less than 62 years of age, you should submit the following documents:

a. Verification Consent Format (**see Sample Verification Consent Form in

Exhibit 3-6**).

AND

b. One of the following documents:

(1) Form I-551, *Alien Registration Receipt Card* (for permanent resident aliens).

(2) Form I-94, *Arrival-Departure Record*, with one of the following annotations:

(a) "Admitted as Refugee Pursuant to section 207";

(b) "Section 208" or "Asylum";

(c) "Section 243(h)" or "Deportation stayed by Attorney General"; or

(d) "Paroled Pursuant to Sec. 212(d)(5) of the INA."

(3) If Form I-94, *Arrival-Departure Record*, is not annotated, it must be accompanied by one of the following documents:

(a) A final court decision granting asylum (but only if no appeal is taken);

(b) A letter from an DHS asylum officer granting asylum (if application was filed on or after October 1, 1990) or from an DHS district director granting asylum (if application was filed before October 1, 1990);

(c) A court decision granting withholding or deportation; or

(d) A letter from an DHS asylum officer granting withholding of deportation (if application was filed on or after October 1, 1990).

(4) Form I-688, *Temporary Resident Card*, which must be annotated "Section 245A" or "Section 210."

(5) Form I-688B, *Employment Authorization Card*, which must be annotated "Provision of Law 274a.12(11)" or "Provision of Law 274a.12."

(6) A receipt issued by the DHS indicating that an application for issuance of a replacement document in one of the above-listed categories has been made and that the applicant's entitlement to the document has been verified.

(7) Form I-151 Alien Registration Receipt Card.

If this block is checked, sign and date below and submit the documentation required above with this declaration and a verification consent format to the name and address specified in the attached notification. If this block is checked on behalf of a child, the adult who will reside in the assisted unit and who is responsible for the child should sign and date below.

If for any reason, the documents shown in subparagraph 2.b. above are not currently available, complete the Request for Extension block below.

_____ _____
Signature Date

Check here if adult signed for a child: _____

REQUEST FOR EXTENSION

I hereby certify that I am a noncitizen with eligible immigration status, as noted in block 2 above, but the evidence needed to support my claim is temporarily unavailable. Therefore, I am requesting additional time to obtain the necessary evidence. I further certify that diligent and prompt efforts will be undertaken to obtain this evidence.

_____ _____
Signature Date

Check if adult signed for a child: _____

_____ 3. I am not contending eligible immigration status and I understand that I am not eligible for financial assistance.

If you checked this block, no further information is required, and the person named above is not eligible for assistance. Sign and date below and forward this format to the name and address specified in the attached notification. If this block is checked on behalf of a child, the adult who is responsible for the child should sign and date below.

_____ _____
Signature Date

Check here if adult signed for a child: _____

EXHIBIT III-F

Race and Ethnic Data Reporting Form

U.S. Department of Housing and Urban Development
Office of Housing

OMB Approval No. 2502-0204
(Exp. 5/31/2011)

Name of Property **Project No.** **Address of Property**

Name of Owner/Managing Agent **Type of Assistance or Program Title:**

Name of Head of Household **Name of Household Member**

Date (mm/dd/yyyy)**:** _____

Ethnic Categories*	Select One
Hispanic or Latino	
Not-Hispanic or Latino	
Racial Categories*	**One or More**
American Indian or Alaska Native	
Asian	
Black or African American	
Native Hawaiian or Other Pacific Islander	
White	

***Definitions of these categories may be found on the reverse side.**

There is no penalty for persons who do not complete the form.

Signature **Date**

Public reporting burden for this collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits and voluntary. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.
This information is authorized by the U.S. Housing Act of 1937 as amended, the Housing and Urban Rural Recovery Act of 1983 and Housing and Community Development Technical Amendments of 1984. This information is needed to be incompliance with OMB-mandated changes to Ethnicity and Race categories for recording the 50059 Data Requirements to HUD. Owners/agents must offer the opportunity to the head and co-head of each household to "self certify' during the application interview or lease signing. In-place tenants must complete the format as part of their next interim or annual re-certification. This process will allow the owner/agent to collect the needed information on all members of the household. Completed documents should be stapled together for each household and placed in the household's file. Parents or guardians are to complete the self-certification for children under the age of 18. Once system development funds are provide and the appropriate system upgrades have been implemented, owners/agents will be required to report the race and ethnicity data electronically to the TRACS (Tenant Rental Assistance Certification System). This information is considered non-sensitive and does no require any special protection.

form HUD-27061-H (9/2003)

Instructions for the Race and Ethnic Data Reporting (Form HUD-27061-H)

A. General Instructions:

This form is to be completed by individuals wishing to be served (applicants) and those that are currently served (tenants) in housing assisted by the Department of Housing and Urban Development.

Owner and agents are required to offer the applicant/tenant the option to complete the form. The form is to be completed at initial application or at lease signing. In-place tenants must also be offered the opportunity to complete the form as part of the next interim or annual recertification. Once the form is completed it need not be completed again unless the head of household or household composition changes. There is no penalty for persons who do not complete the form. However, the owner or agent may place a note in the tenant file stating the applicant/tenant refused to complete the form. **Parents or guardians are to complete the form for children under the age of 18.**

The Office of Housing has been given permission to use this form for gathering race and ethnic data in assisted housing programs. Completed documents for the entire household should be stapled together and placed in the household's file.

1. The two ethnic categories you should choose from are defined below. You should check one of the two categories.

1. **Hispanic or Latino.** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term "Spanish origin" can be used in addition to "Hispanic" or "Latino."
2. **Not Hispanic or Latino.** A person not of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

2. The five racial categories to choose from are defined below: You may mark one or more.

1. **American Indian or Alaska Native.** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
2. **Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
3. **Black or African American.** A person having origins in any of the black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black" or "African American."
4. **Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
5. **White.** A person having origins in any of the original peoples of Europe, the Middle East or North Africa.

Formulario para Reportar Data sobre Raza y Etnia

Departamento de Vivienda y Desarrollo Urbano de EEUU
Oficina de Vivienda

OMB Aprobado No. 2502-0204
(Exp. 5/31/2011)

Nombre de la propiedad **No. del Proyecto** **Dirección de la propiedad**

Nombre del dueño/Agente Manejador **Nombre del programa o tipo de asistencia**

Nombre del jefe de familia **Nombre de la persona llenando la hoja**

Fecha (mm/dd/aaaa)**:** _____

Categorías Étnicas*	Escoja una
Hispano o Latino	
No-Hispano o Latino	
Categorías de Raza*	**Una o más**
Amerindio o Nativo de Alaska	
Asiático	
Negro o Afroamericano	
Nativo Hawaiano u otro Isleño del Pacifico	
Blanco	

***Para definiciones de las categorías mire al dorso.**

No habrá penalidad si usted no completa este formulario.

Firma **Fecha**

Public reporting burden for this collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits and voluntary. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is authorized by the U.S. Housing Act of 1937 as amended, the Housing and Urban Rural Recovery Act of 1983 and Housing and Community Development Technical Amendments of 1984. This information is needed to be incompliance with OMB-mandated changes to Ethnicity and Race categories for recording the 50059 Data Requirements to HUD. Owners/agents must offer the opportunity to the head and co-head of each household to "self certify' during the application interview or lease signing. In-place tenants must complete the format as part of their next interim or annual re-certification. This process will allow the owner/agent to collect the needed information on all members of the household. Completed documents should be stapled together for each household and placed in the household's file. Parents or guardians are to complete the self-certification for children under the age of 18. Once system development funds are provide and the appropriate system upgrades have been implemented, owners/agents will be required to report the race and ethnicity data electronically to the TRACS (Tenant Rental Assistance Certification System). This information is considered non-sensitive and does not require any special protection.

Instrucciones para informar los datos de raza y grupo étnico (Formulario HUD-27061-H)

A. Instrucciones generales:

Este formulario debe ser completado por las personas que desean arrendar (solicitantes) y las personas que ya arriendan (arrendatarios) viviendas subvencionadas por el Departamento de Viviendas y Desarrollo Urbano.

Se exige a los propietarios y corredores de bienes raíces que ofrezcan al solicitante/arrendatario la opción de completar el formulario. Se debe completar el formulario al inicio de la solicitud o al momento de firmar el arrendamiento. Los arrendatarios ya ubicados también deben recibir la oportunidad de completar el formulario como parte de la siguiente recertificación pasajera o anual. Una vez que se haya completado, no necesita completarse nuevamente a menos que cambie el jefe de familia o la composición de la familia. No existe sanción para las personas que no completen el formulario. Sin embargo, el propietario o corredor puede colocar una nota en el expediente del arrendatario manifestando que el solicitante/arrendador se rehúso a completar el formulario. **Los padres de familia o tutores deben completar el formulario para los hijos menores de 18 años.**

La Oficina de Vivienda ha recibido autorización para utilizar este formulario para recopilar los datos de raza y grupo étnico en los programas de vivienda subvencionados. Los documentos completados de toda la familia deben presentarse juntos y colocarse en el expediente de la familia.

1. Se definen debajo las dos categorías étnicas entre las que debe elegir: Debe marcar una de las dos categorías.

3. Hispano o latino. Una persona que sea de Cuba, México, Puerto Rico, Sudamérica y Centroamérica, o de otra cultura u origen español, sin considerar la raza. El término "origen español" puede usarse además de "hispano" o "latino".

4. No hispano ni latino. Una persona que no sea de Cuba, México, Puerto Rico, Sudamérica y Centroamérica, ni de otra cultura u origen hispano, sin considerar la raza.

2. Se definen debajo las cinco categorías raciales entre las que debe elegir: **Debe marcar todas las opciones pertinentes.**

4. Indio americano o nativo de Alaska. Una persona con orígenes en cualquiera de los pueblos oriundos de Norteamérica y Sudamérica (incluyendo Centroamérica), y que mantiene afiliación tribal o adherencia comunal.

5. Asiático. Una persona con orígenes en cualquiera de los pueblos oriundos del Lejano Oriente, Sudeste de Asia o el subcontinente indio, incluyendo, por ejemplo a Camboya, China, India, Japón, Corea, Malasia, Pakistán, las Islas Filipinas, Tailandia y Vietnam.

6. Negro o afroamericano. Una persona con orígenes en cualquiera de los grupos raciales negros de África. El término "haitiano" puede utilizarse además de "negro" o "africano".

7. **Nativo de Hawai u otra isla del Pacífico.** Una persona con orígenes en cualquiera de los pueblos oriundos de Hawai, Guam, Samoa u otras islas del Pacífico.

6. Blanco. Una persona con orígenes en cualquiera de los pueblos oriundos de Europa, Medio Oriente o Norte de África.

EXHIBIT III-G

City of Boulder Policies **
STUDENT POLICY

Purpose
The City of Boulder supports the creation and preservation of affordable housing that serves extremely low, very low, low and moderate income households within the City of Boulder.

The Program focuses its efforts at the lower end of the income spectrum, targeting the following populations:

- Households that live or work in Boulder;
- Households with children;
- Households with working members who earn a low or moderate wage;
- Non-student Households; and
- Special population groups including: physically disabled, chronically mentally ill, and frail elderly.

The City of Boulder Student Policy (Student Policy) prohibits the use of the Program to create or preserve dormitories or other student housing. The city's student policy was designed in consideration of the restrictions on student participation as detailed in the Section 8 Housing Choice Voucher (24 CFR 5.612), the LIHTC Full Time Student Rule (IRC Sec. 42(i)(3)(D), IRC §141(c)(4), IRC §170(b)(1)(A)(ii), Treasury Regulation §1.151-3(b)) and the 2013 HOME Final Rule (24 CFR 5.612).

Policy
The Student Policy excludes certain students from occupying a city supported permanently affordable rental housing unit. A city supported permanently affordable rental housing unit is defined as a unit created or preserved using City of Boulder subsidy(ies), resulting from City of Boulder regulatory requirements (e. g., annexation, Inclusionary Housing), and/or maintains any city restrictions.

A student is defined as an individual 18 years of age or older who is enrolled in an institution of higher education during the calendar year. To determine student status, property management/owner must obtain a Verification of Student Status (attached) directly from the institution of higher education to confirm the students' enrollment status. A student's status may not be determined by the property management/owner or the applicant/resident.

Students enrolled in an institution of higher education; and meeting one or more of the following criteria are eligible to occupy a city supported affordable housing unit:

- Age of 24 and older, or
- A veteran of the U.S. military, or
- Have a dependent child(ren), or
- Person with disabilities, or
- Living with a parent who is determined to be eligible on the basis of income.

Verification of Student Status
A Verification of Student Status must be completed by all household members 18 years of age and older at the time of initial application and annually thereafter upon lease renewal. *All applications with one or more students enrolled in an institution of higher education* ***must*** *submit a copy of the application, household income verification and Verification of Student Status to the Compliance & Project Manager for review to*

make a final determination of eligibility prior to any approval of occupancy by property management/owner.

Request for Exception

It is the city's intention that permanently affordable rental housing units support residents working towards self-sufficiency and through life transitions. The city ***may*** consider exceptions to the Student Housing Policy upon submission of a Request for Student Exception (attached) and supporting documentation. Final determination of eligibility is at the city's sole discretion.

Exception Review & Determination

All requests for exception must be submitted and reviewed by the Compliance & Project Manager to make a final determination of eligibility prior to any approval of occupancy by the property manager/owner. A formal determination will be made within three full business days of receiving complete documentation supporting the request for exception.

Exception considerations may include, *but are not limited to*:

For Individual Residents:

- The student receives assistance under Title IV of the Social Security Act, also known as Temporary Assistance to Needy Families (TANF).
- The student is enrolled in a job training program receiving assistance under the Workforce Investment Act (formerly known as the Job Training Partnership Act) or under a similar federal, state, or local program.
- The student was previously under the care and placement responsibility of the State agency responsible for administering a plan under title IV of the Social Security Act (i.e., Foster Care).

For Households Comprised Entirely of Students:

- The students are a single parent with children, and the parent is not a dependent of another individual, and the children are not dependents of anyone other than a parent. The household qualifies if either parent claims the children as dependents for tax purposes, regardless of whether or not the parent claiming the dependents resides in the unit.
- The students are married and eligible to file a joint tax return.

Required documentation includes:

- Request for Student Exception
- Housing application including all household income verification documents
- Verification of Student Status completed for all household members age 18 years and older.

INTERPRETATION AND APPLICATION

Questions regarding the interpretation and application of this policy should be directed to the Community Investment Program Manager. This policy supersedes all previous policies covering the same or similar topics. Any exceptions to this policy may only be granted by the Deputy Director of Housing or the City Manager. This policy may be reviewed and changed at any time.

LAST REVISED: 04/08/2015
EFFECTIVE DATE: 06/15/16

EXHIBIT III-G.1

VERIFICATION OF STUDENT STATUS

Pursuant to the City of Boulder Affordable Housing Student Policy a Certification of Student Status must be completed by all household members age 18 years and older at move-in and annually thereafter.

Institution: _____

Address: _____

_____

Fax#:_____ RE: _____

Applicant/Tenant Name

The above Applicant/Tenant is applying to/participating in a housing program that requires verification of student status. The individual has signed a release below giving you permission to supply us with the information requested. The information provided will remain confidential. Please return the completed form to the address/fax below.

I certify that this verification has been sent directly to the educational institution and was not hand carried by the applicant/tenant or any other interested party.

_____ _____ _____

Signature of Owner/Agent Title Date

_____ _____

Owner/Agent's Address Owner/Agent Fax Number

Consent to Release Information: My signature below authorizes verification of my enrollment information.

_____ _____ _____

Applicant/Tenant Signature Student ID# Date

THIS SECTION TO BE COMPLETED BY EDUCATIONAL INSTITUTION

Is the above-named individual a student at this educational institution? If yes, the student's status is:
❒ Part-Time ❒ Full-Time ❒ Not Currently Enrolled

❒ Yes ❒ No The individual is expected to be a full-time student as defined by the institution for at least five (5) months during the calendar year or upcoming calendar year.

Enrollment Date: _____ Expected Date of Graduation: _____

❒ Yes ❒ No The individual was a full-time student as defined by the institution for at least five (5) months during the calendar year or upcoming calendar year, but is not currently, nor are they expected to be a full-time student during any part of the calendar year.

❒ Yes ❒ No The individual was not and is not expected to be a full-time student as defined by the institution for at least five (5) months during the calendar year or upcoming calendar year

I certify that the information supplied in this section is true and complete to the best of my knowledge.

Print Your Name/Title: _____ Phone: _____

Signature: _____ Date: _____

EXHIBIT III-G.2

REQUEST FOR STUDENT EXCEPTION

Pursuant to the City of Boulder Affordable Housing Student Policy a Request for Student Exception must be completed by all household members age 18 years and older that wish to formally request an exception to the City's Non-Student Housing Policy.

Student Applicant Name: _____

Please select **one** option below that best describes your current status:

- ◯ **I am currently a student** and meet one or more of the following exception criteria (documentation required).
  - ◯ I receive assistance under Title IV of the Social Security Act, also known as Temporary Assistance to Needy Families (TANF).
  - ◯ I am enrolled in a job training program receiving assistance under the Workforce Investment Act (formerly known as the Job Training Partnership Act) or under a similar federal, state, or local program.
  - ◯ I was previously under the care and placement responsibility of the State agency responsible for administering a plan under title IV of the Social Security Act (i.e., Foster Care).
  - ◯ I am a veteran.
  - ◯ I am receiving disability benefits that limit my ability to be employed.
  - ◯ I am a single parent with children, and am not a dependent of another individual, and the children are not dependents of anyone other person. (The household qualifies if a parent claims the children as dependents for tax purposes, regardless of whether or not the parent claiming the dependents resides in the unit.)
  - ◯ I am married and eligible to file a joint tax return.

Applicant Signature: _____Date: _____

EXHIBIT III-H

HOME Monitoring
City of Boulder, Division of Housing

Annual Tenant Report

Project Name: Prepared by: Phone number: Date:

See CODES below

Unit #	HOME Unit Y/N	# of bedrooms	Tenant Name	Head of household	Ethnicity of head of household	Race of Head of Household	Household size	Head of Household Occupation	Annual HH Income	% of AMI Annual Income	Monthly rent (+ tenant paid utilities)				Date of Initial Occupancy	If tenant occupancy has changed in the last year, please give the reason for the former tenant's departure.
											Tenant	Subsidy	Utilities	Total rent		

Due each year by : January 31st
Send To: Shelly Conley
conleys@bouldercolorado.gov
City of Boulder, Division of Housing
P.O. Box 791 Boulder, CO. 80302
Fax: 720-564-2188

Head of Household:
1. Single
2. Elderly
3. Single Parent Male
4. Single Parent Female
5. Two Parent
6. Other

Race:
A. American Indian or Alaska Native
B. Asian
C. Black or African American
D. Native American or Other Pacific Islander
E. White

Ethnicity:
A. Hispanic
B. B. Non-Hispanic

EXHIBIT III-H.1

SAMPLE Annual Beneficiary Report

I. GRANTEE INFORMATION	
Grantee Name	**Address**
Person Completing Report	**Phone Number**
CDBG Award Amount	**Reporting Year**

II. BENEFICIARIES & UNITS	
Beneficiaries	**Total Number Served**
Total Persons or Households Served	
Total Female Head of Households Served	
Housing Projects (rehab, acquisition or construction)	**Total Number Served**
Total # of units at start of project	
Total # of units expected at project completion	
Total # of units completed	

III. RACE & ETHNICITY		
Race	**Non Hispanic/Latino**	**Hispanic/Latino**
American Indian/Alaska Native		
Asian		
Native Hawaiian/Other Pacific Islander		
Black/African American		
White		
Other		

IV. INCOME INFORMATION	
Beneficiaries	**Total Number Served**
Total # Extremely Low Income Persons (up to 30% AMI	
Total Very Low Income Persons (31% to 50% AMI)	
Total # Low Income Persons (51% to 80% AMI)	
Total Moderate (81% to 100% AMI)	
Total Other (above 100% AMI)	

Please refer to the enclosed chart for information on Boulder-Longmont AMI numbers.

EXHIBIT III-H.2

City of Boulder

Annual Certification of Compliance

As part of our Annual Risk Analysis for the Affordable Rental Housing Programs, the Owner's Annual Certification of Compliance is now required to be submitted on an annual basis. The electronic submission affects all affordable rental housing programs that are required to submit annual performance reports to the City of Boulder, Division of Housing.

Please submit all reports to: Shelly Conley, Compliance & Project Manager at conleys@bouldercolorado.gov

Reporting Period:	From: **January 1, 2015**	To: **December 31, 2015**
Project Name:		

CERTIFICATION

The undersigned hereby certifies that the information presented herein is true and correct to the best of his/her knowledge and that he/she will, if requested, submit documentation in support of such statement. He/she further certifies UNDER PENALTY OF PERJURY that the project meets the compliance requirements as outlined in the Covenant and Rental Compliance Manual, including any HUD regulations pursuant thereto and other applicable laws, rules, regulations and ordinances.

Recipient Information			
Name of Recipient			
Name/Title of Recipient Contact Person			Daytime Telephone Number
Address			Fax Number
City	State	Zip Code	E-mail Address
Signature			Date Form Completed:

☐ Check if new Recipient contact, new address or phone number since submittal of last annual report

Management Agent Information			
Name of Management Company (if different from recipient)			
Name of Management Contact Person			Daytime Telephone Number
Address			Fax Number
City	State	Zip Code	E-mail Address

☐ Check if new management company, new address or phone number since submittal of last annual report.

Read the following statements. Each question **MUST** be answered and an explanation provided when requested.

1. The owner/manager have submitted the required annual reports to the Division of Housing Compliance & Project Manager in order to be considered active and in good standing.

   ☐ Yes ☐ No, please provide an explanation in the box below.

Income Certifications

2. The owner/manager has properly documented eligibility of each tenant at move-in by third-party verifying all sources of income and assets.

   ☐ Yes ☐ No, please provide an explanation in the box below.

3. (a) The owner/manager has properly documented eligibility of each tenant at initial income certification and every other year thereafter by third party verifying all sources of income and assets.

   ☐ Yes, go to question 4 ☐ No, must answer 3(b)

   (b) Did the owner/manager allow self- certifications by tenants to document eligibility during intervening years?

   ☐ Yes ☐ No, please provide explanation in the box below.

Property Standards

4. During the reporting period, was a physical inspection of each affordable unit conducted to ensure that Housing Quality Standards (HQS) were met?

   ☐ Yes ☐ No, please provide an explanation why the unit(s) did not meet HQS in the box below.

5. The owner/manager certifies that the project meets requirements as required under Section 504.

   ☐ Yes ☐ No, please provide an explanation why the unit(s) did not meet HQS in the box below.

Conflict of Interest

6. Were any tenants occupying the units perceived as presenting a potential conflict of interest?

☐ Yes If Yes, was the conflict of interest procedure followed for determination?

☐ No If No, please provide explanation in the box below.

Reserve for Replacement Account

7. Do you maintain your own reserve for replacement account?

☐ Yes ☐ No

a. If yes, please provide your monthly deposit and overall balance in this account.

b. If no, who maintains it?

c. Briefly describe any expenditure from the reserve for replacement account.

Lease

8. Does the current lease used by the recipient for the affordable units meet the requirements outlined in the Covenant for the project?

☐ Yes ☐ No, please provide an explanation in the box below.

Fair Housing

9. Please indicate the number of households that occupied an affordable unit during the reporting period that have a member(s) with known disabilities. _____

10. Recipient certifies that the Tenant Selection Policies/Plan, Affirmative Marketing Plan, and Fair Housing Plan used in conjunction with the leasing of the project are is in accordance with all applicable Fair Housing Laws.

☐ Yes ☐ No, please provide explanation in box below.

11. Recipient certifies that the project meets all Section 504 Regulations and Requirements.

☐ Yes ☐ No, please provide explanation in box below.

Division of Housing
Community Investment Team

City of Boulder

EXHIBIT III-H.3

Annual Operating Income/Expense Report

Owner Name:	
Street Address:	
City/State/Zip:	
Property Name:	
Street Address:	
City/State/Zip:	
Number of Units:	0
Reporting Year:	
Note:	

Operating Income		
Rental Income	$ -	
Other Income	$ -	
Less Vacancy	$ -	
Effective Gross Income	*$ -*	
Annual Expenses		
Administrative	$ -	
Operating & Maintenance*	$ -	
Taxes & Insurance	$ -	
Other Expenses	$ -	
Total Annual Expenses	*$ -*	
Net Operating Income Before Reserves and Debt Service	**$ -**	**Per Unit**
Replacement Reserve	$ -	#DIV/0!
Operating Reserve	$ -	#DIV/0!
Debt Service	$ -	
Casflow After Debt Service	***$ -***	

*Includes trash removal, utilities, maintenance, repairs, extermination, grounds, snow removal, other

EXHIBIT III-H.4

AFFIRMATIVE MARKETING COMPLIANCE REPORT

Property Name	Address:
Preparer Name	**Preparer Title**
No. of Units in Project	**No. of HOME-assisted Units**
Census Tract	**Household Market Area**

Demographic Characteristics	Census Tract %	Housing Market Area %	Expanded Market Area %	Project Applicant Data %	Project's Residents %	Rejected Applicants %
White						
Black or African American						
Asian						
American Indian or Alaska Native						
Native Hawaiian or Other Pacific Islander						
Hispanic or Latino						
Persons with Disabilities						
Families with children under age 18						
Other (specify below)						

Rejected Applicants	
Race/Ethnicity	**Reason for Rejection**

8

In accordance with the provisions of the Equal Opportunity Act and the City of Boulder Division of Housing policies, there will be no discrimination on the basis of age, source of income, sex, race, marital status, sexual orientation, national origin, religion or handicap.

Questions	Answer
1. Is there an Equal Opportunity Fair Housing Poster prominently displayed in the rental office?	□ Yes □ No □ NA
2. Is there a copy of the owner's Affirmative Fair Housing Marketing Plan (AFHMP in the office or wherever prospective tenants may apply for rental housing?	□ Yes □ No □NA
3. Does the owner or property manager review the AFHMP annually or at minimum every five years to ensure it is current and applicable?	□ Yes □ No □NA
4. What is the date of the last AFHMP updated?	□ Yes □ No □NA
5. What is the date for when the last Outreach List was reviewed and/or revised?	□ Yes □ No □NA
Tenant Selection Plan	
6. Does the owner or property -manager have an approved Tenant Selection Plan on site for applicant and tenant review?	□ Yes □ No □NA
7. Does the project's Tenant Selection Plan include procedures for taking applications, selecting from the waiting list, and policy for opening, closing and maintaining the waiting list?	□ Yes □ No □NA
8. Does the Tenant Selection Plan include policies for Fair Housing, Section 504, and assigning accessible units?	□ Yes □ No □NA
9. Does the Tenant Selection Plan include policies for preferences?	□ Yes □ No □NA
Signage/Brochures/Advertising	
1. Are there any project site signs? If yes, do each of them display in a conspicuous position the HUD-approved Equal Opportunity logo, slogan or statement (24 CFR 200.620(f)?	□ Yes □ No □ NA
2. Is the accessibility logo included?	□ Yes □ No □ NA
3. If human models or characters were used in brochures; did they reasonably represent both majority and minority races?	□ Yes □ No □ NA
4. Are all applicable correspondence, notices and advertising in compliance with advertising?	□ Yes □ No □ NA
Owner/Property Management Staff Training	
1. Does the owner/project manager maintain a record of Fair Housing complaints?	□ Yes □ No □ NA
Record-Keeping & Reporting	
2. Does the owner/property manager collect and maintain data on race, ethnicity, gender, age, and disability for applicants?	□ Yes □ No □ NA
3. Does the owner/property manager collect data from applicants and tenants with HUD-27061-H (see attachment B of City's AFHMP)	□ Yes □ No □ NA

In accordance with the provisions of the Equal Opportunity Act and the City of Boulder Division of Housing policies, there will be no discrimination on the basis of age, source of income, sex, race, marital status, sexual orientation, national origin, religion or handicap.

Owner/Property Manager Demographic Analysis	
1. Does any of the demographic data show a low representation of any protected groups in either the project applicants or beneficiaries?	□ Yes □ No □ NA
2. What reasons have you identified for these low numbers?	□ Yes □ No □ NA
3. What actions have you taken to date to correct the reasons for low numbers? Please provide correspondence of action taken.	□ Yes □ No □ NA
4. What actions do you plan to take in the future to correct the low numbers?	□ Yes □ No □ NA
5. Have you set up and maintained records to reflect any study and actions taken?	□ Yes □ No □ NA

Preparer Signature: _____ Date: _____

DIVISION OF HOUSING MONITORING SUMMARY

FOLLOW-UP OR CORRECTIVE ACTION NEEDED

DOH Reviewer: _____

DOH Reviewer Signature: _____ Date: _____

In accordance with the provisions of the Equal Opportunity Act and the City of Boulder Division of Housing policies, there will be no discrimination on the basis of age, source of income, sex, race, marital status, sexual orientation, national origin, religion or handicap.

Protect Your Family From Lead in Your Home

United States Environmental Protection Agency

United States Consumer Product Safety Commission

United States Department of Housing and Urban Development

Are You Planning to Buy or Rent a Home Built Before 1978?

Did you know that many homes built before 1978 have **lead-based paint**? Lead from paint, chips, and dust can pose serious health hazards.

Read this entire brochure to learn:

- How lead gets into the body
- About health effects of lead
- What you can do to protect your family
- Where to go for more information

Before renting or buying a pre-1978 home or apartment, federal law requires:

- Sellers must disclose known information on lead-based paint or lead-based paint hazards before selling a house.
- Real estate sales contracts must include a specific warning statement about lead-based paint. Buyers have up to 10 days to check for lead.
- Landlords must disclose known information on lead-based paint and lead-based paint hazards before leases take effect. Leases must include a specific warning statement about lead-based paint.

If undertaking renovations, repairs, or painting (RRP) projects in your pre-1978 home or apartment:

- Read EPA's pamphlet, *The Lead-Safe Certified Guide to Renovate Right,* to learn about the lead-safe work practices that contractors are required to follow when working in your home (see page 12).

Simple Steps to Protect Your Family from Lead Hazards

If you think your home has lead-based paint:

- Don't try to remove lead-based paint yourself.
- Always keep painted surfaces in good condition to minimize deterioration.
- Get your home checked for lead hazards. Find a certified inspector or risk assessor at epa.gov/lead.
- Talk to your landlord about fixing surfaces with peeling or chipping paint.
- Regularly clean floors, window sills, and other surfaces.
- Take precautions to avoid exposure to lead dust when remodeling.
- When renovating, repairing, or painting, hire only EPA- or state-approved Lead-Safe certified renovation firms.
- Before buying, renting, or renovating your home, have it checked for lead-based paint.
- Consult your health care provider about testing your children for lead. Your pediatrician can check for lead with a simple blood test.
- Wash children's hands, bottles, pacifiers, and toys often.
- Make sure children avoid fatty (or high fat) foods and eat nutritious meals high in iron and calcium.
- Remove shoes or wipe soil off shoes before entering your house.

Lead Gets into the Body in Many Ways

Adults and children can get lead into their bodies if they:

- Breathe in lead dust (especially during activities such as renovations, repairs, or painting that disturb painted surfaces).
- Swallow lead dust that has settled on food, food preparation surfaces, and other places.
- Eat paint chips or soil that contains lead.

Lead is especially dangerous to children under the age of 6.

- At this age, children's brains and nervous systems are more sensitive to the damaging effects of lead.
- Children's growing bodies absorb more lead.
- Babies and young children often put their hands and other objects in their mouths. These objects can have lead dust on them.

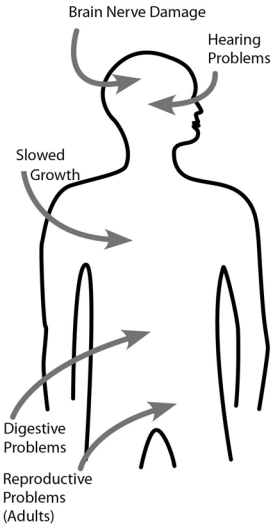
Women of childbearing age should know that lead is dangerous to a developing fetus.

- Women with a high lead level in their system before or during pregnancy risk exposing the fetus to lead through the placenta during fetal development.

Health Effects of Lead

Lead affects the body in many ways. It is important to know that even exposure to low levels of lead can severely harm children.

In children, exposure to lead can cause:



- Nervous system and kidney damage
- Learning disabilities, attention deficit disorder, and decreased intelligence
- Speech, language, and behavior problems
- Poor muscle coordination
- Decreased muscle and bone growth
- Hearing damage

While low-lead exposure is most common, exposure to high amounts of lead can have devastating effects on children, including seizures, unconsciousness, and, in some cases, death.

Although children are especially susceptible to lead exposure, lead can be dangerous for adults, too.

In adults, exposure to lead can cause:

- Harm to a developing fetus
- Increased chance of high blood pressure during pregnancy
- Fertility problems (in men and women)
- High blood pressure
- Digestive problems
- Nerve disorders
- Memory and concentration problems
- Muscle and joint pain

Check Your Family for Lead

Get your children and home tested if you think your home has lead.

Children's blood lead levels tend to increase rapidly from 6 to 12 months of age, and tend to peak at 18 to 24 months of age.

Consult your doctor for advice on testing your children. A simple blood test can detect lead. Blood lead tests are usually recommended for:

- Children at ages 1 and 2
- Children or other family members who have been exposed to high levels of lead
- Children who should be tested under your state or local health screening plan

Your doctor can explain what the test results mean and if more testing will be needed.

Where Lead-Based Paint Is Found

In general, the older your home or childcare facility, the more likely it has lead-based paint.[1]

Many homes, including private, federally-assisted, federally-owned housing, and childcare facilities built before 1978 have lead-based paint. In 1978, the federal government banned consumer uses of lead-containing paint.[2]

Learn how to determine if paint is lead-based paint on page 7.

Lead can be found:

- In homes and childcare facilities in the city, country, or suburbs,
- In private and public single-family homes and apartments,
- On surfaces inside and outside of the house, and
- In soil around a home. (Soil can pick up lead from exterior paint or other sources, such as past use of leaded gas in cars.)

Learn more about where lead is found at epa.gov/lead.

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[1] "Lead-based paint" is currently defined by the federal government as paint with lead levels greater than or equal to 1.0 milligram per square centimeter (mg/cm), or more than 0.5% by weight.

[2] "Lead-containing paint" is currently defined by the federal government as lead in new dried paint in excess of 90 parts per million (ppm) by weight.

Identifying Lead-Based Paint and Lead-Based Paint Hazards

Deteriorating lead-based paint (peeling, chipping, chalking, cracking, or damaged paint) is a hazard and needs immediate attention. **Lead-based paint** may also be a hazard when found on surfaces that children can chew or that get a lot of wear and tear, such as:

- On windows and window sills
- Doors and door frames
- Stairs, railings, banisters, and porches

Lead-based paint is usually not a hazard if it is in good condition and if it is not on an impact or friction surface like a window.

Lead dust can form when lead-based paint is scraped, sanded, or heated. Lead dust also forms when painted surfaces containing lead bump or rub together. Lead paint chips and dust can get on surfaces and objects that people touch. Settled lead dust can reenter the air when the home is vacuumed or swept, or when people walk through it. EPA currently defines the following levels of lead in dust as hazardous:

- 40 micrograms per square foot ($\mu g/ft^2$) and higher for floors, including carpeted floors
- 250 $\mu g/ft^2$ and higher for interior window sills

Lead in soil can be a hazard when children play in bare soil or when people bring soil into the house on their shoes. EPA currently defines the following levels of lead in soil as hazardous:

- 400 parts per million (ppm) and higher in play areas of bare soil
- 1,200 ppm (average) and higher in bare soil in the remainder of the yard

Remember, lead from paint chips—which you can see—and lead dust—which you may not be able to see—both can be hazards.

The only way to find out if paint, dust, or soil lead hazards exist is to test for them. The next page describes how to do this.

Checking Your Home for Lead

You can get your home tested for lead in several different ways:

- A lead-based paint **inspection** tells you if your home has lead-based paint and where it is located. It won't tell you whether your home currently has lead hazards. A trained and certified testing professional, called a lead-based paint inspector, will conduct a paint inspection using methods, such as:
  - Portable x-ray fluorescence (XRF) machine
  - Lab tests of paint samples

- A **risk assessment** tells you if your home currently has any lead hazards from lead in paint, dust, or soil. It also tells you what actions to take to address any hazards. A trained and certified testing professional, called a risk assessor, will:
  - Sample paint that is deteriorated on doors, windows, floors, stairs, and walls
  - Sample dust near painted surfaces and sample bare soil in the yard
  - Get lab tests of paint, dust, and soil samples
- A combination inspection and risk assessment tells you if your home has any lead-based paint and if your home has any lead hazards, and where both are located.

Be sure to read the report provided to you after your inspection or risk assessment is completed, and ask questions about anything you do not understand.

Checking Your Home for Lead, continued

In preparing for renovation, repair, or painting work in a pre-1978 home, Lead-Safe Certified renovators (see page 12) may:

- Take paint chip samples to determine if lead-based paint is present in the area planned for renovation and send them to an EPA-recognized lead lab for analysis. In housing receiving federal assistance, the person collecting these samples must be a certified lead-based paint inspector or risk assessor
- Use EPA-recognized tests kits to determine if lead-based paint is absent (but not in housing receiving federal assistance)
- Presume that lead-based paint is present and use lead-safe work practices

There are state and federal programs in place to ensure that testing is done safely, reliably, and effectively. Contact your state or local agency for more information, visit epa.gov/lead, or call **1-800-424-LEAD (5323)** for a list of contacts in your area.[3]

[3] Hearing- or speech-challenged individuals may access this number through TTY by calling the Federal Relay Service at 1-800-877-8399.

What You Can Do Now to Protect Your Family

If you suspect that your house has lead-based paint hazards, you can take some immediate steps to reduce your family's risk:

- If you rent, notify your landlord of peeling or chipping paint.
- Keep painted surfaces clean and free of dust. Clean floors, window frames, window sills, and other surfaces weekly. Use a mop or sponge with warm water and a general all-purpose cleaner. (Remember: never mix ammonia and bleach products together because they can form a dangerous gas.)
- Carefully clean up paint chips immediately without creating dust.
- Thoroughly rinse sponges and mop heads often during cleaning of dirty or dusty areas, and again afterward.
- Wash your hands and your children's hands often, especially before they eat and before nap time and bed time.
- Keep play areas clean. Wash bottles, pacifiers, toys, and stuffed animals regularly.
- Keep children from chewing window sills or other painted surfaces, or eating soil.
- When renovating, repairing, or painting, hire only EPA- or state-approved Lead-Safe Certified renovation firms (see page 12).
- Clean or remove shoes before entering your home to avoid tracking in lead from soil.
- Make sure children avoid fatty (or high fat) foods and eat nutritious meals high in iron and calcium. Children with good diets absorb less lead.

Reducing Lead Hazards

Disturbing lead-based paint or removing lead improperly can increase the hazard to your family by spreading even more lead dust around the house.

- In addition to day-to-day cleaning and good nutrition, you can **temporarily** reduce lead-based paint hazards by taking actions, such as repairing damaged painted surfaces and planting grass to cover lead-contaminated soil. These actions are not permanent solutions and will need ongoing attention.
- You can minimize exposure to lead when renovating, repairing, or painting by hiring an EPA- or state-certified renovator who is trained in the use of lead-safe work practices. If you are a do-it-yourselfer, learn how to use lead–safe work practices in your home.
- To remove lead hazards permanently, you should hire a certified lead abatement contractor. Abatement (or permanent hazard elimination) methods include removing, sealing, or enclosing lead-based paint with special materials. Just painting over the hazard with regular paint is not permanent control.

Always use a certified contractor who is trained to address lead hazards safely.

- Hire a Lead-Safe Certified firm (see page 12) to perform renovation, repair, or painting (RRP) projects that disturb painted surfaces.
- To correct lead hazards permanently, hire a certified lead abatement professional. This will ensure your contractor knows how to work safely and has the proper equipment to clean up thoroughly.

Certified contractors will employ qualified workers and follow strict safety rules as set by their state or by the federal government.

Reducing Lead Hazards, continued

If your home has had lead abatement work done or if the housing is receiving federal assistance, once the work is completed, dust cleanup activities must be conducted until clearance testing indicates that lead dust levels are below the following levels:

- 40 micrograms per square foot (µg/ft^2) for floors, including carpeted floors
- 250 µg/ft^2 for interior windows sills
- 400 µg/ft^2 for window troughs

For help in locating certified lead abatement professionals in your area, call your state or local agency (see pages 14 and 15), or visit epa.gov/lead, or call 1-800-424-LEAD.

Renovating, Remodeling, or Repairing (RRP) a Home with Lead-Based Paint

If you hire a contractor to conduct renovation, repair, or painting (RRP) projects in your pre-1978 home or childcare facility (such as pre-school and kindergarten), your contractor must:

- Be a Lead-Safe Certified firm approved by EPA or an EPA-authorized state program
- Use qualified trained individuals (Lead-Safe Certified renovators) who follow specific lead-safe work practices to prevent lead contamination
- Provide a copy of EPA's lead hazard information document, *The Lead-Safe Certified Guide to Renovate Right*

RRP contractors working in pre-1978 homes and childcare facilities must follow lead-safe work practices that:

- **Contain the work area.** The area must be contained so that dust and debris do not escape from the work area. Warning signs must be put up, and plastic or other impermeable material and tape must be used.
- **Avoid renovation methods that generate large amounts of lead-contaminated dust.** Some methods generate so much lead-contaminated dust that their use is prohibited. They are:
  - Open-flame burning or torching
  - Sanding, grinding, planing, needle gunning, or blasting with power tools and equipment not equipped with a shroud and HEPA vacuum attachment and
  - Using a heat gun at temperatures greater than 1100°F
- **Clean up thoroughly.** The work area should be cleaned up daily. When all the work is done, the area must be cleaned up using special cleaning methods.
- **Dispose of waste properly.** Collect and seal waste in a heavy duty bag or sheeting. When transported, ensure that waste is contained to prevent release of dust and debris.

To learn more about EPA's requirements for RRP projects visit epa.gov/getleadsafe, or read *The Lead-Safe Certified Guide to Renovate Right*.

Other Sources of Lead

While paint, dust, and soil are the most common sources of lead, other lead sources also exist:

- **Drinking water.** Your home might have plumbing with lead or lead solder. You cannot see, smell, or taste lead, and boiling your water will not get rid of lead. If you think your plumbing might contain lead:
  - Use only cold water for drinking and cooking.
  - Run water for 15 to 30 seconds before drinking it, especially if you have not used your water for a few hours.

  Call your local health department or water supplier to find out about testing your water, or visit epa.gov/lead for EPA's lead in drinking water information.
- **Lead smelters** or other industries that release lead into the air.
- **Your job.** If you work with lead, you could bring it home on your body or clothes. Shower and change clothes before coming home. Launder your work clothes separately from the rest of your family's clothes.
- **Hobbies** that use lead, such as making pottery or stained glass, or refinishing furniture. Call your local health department for information about hobbies that may use lead.
- Old **toys** and **furniture** may have been painted with lead-containing paint. Older toys and other children's products may have parts that contain lead.[4]
- Food and liquids cooked or stored in **lead crystal** or **lead-glazed pottery or porcelain** may contain lead.
- Folk remedies, such as **"greta"** and **"azarcon,"** used to treat an upset stomach.

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[4] In 1978, the federal government banned toys, other children's products, and furniture with lead-containing paint (16 CFR 1303). In 2008, the federal government banned lead in most children's products. The federal government currently bans lead in excess of 100 ppm by weight in most children's products (76 FR 44463).

For More Information

The National Lead Information Center
Learn how to protect children from lead poisoning and get other information about lead hazards on the Web at epa.gov/lead and hud.gov/lead, or call **1-800-424-LEAD (5323).**

EPA's Safe Drinking Water Hotline
For information about lead in drinking water, call **1-800-426-4791**, or visit epa.gov/lead for information about lead in drinking water.

Consumer Product Safety Commission (CPSC) Hotline
For information on lead in toys and other consumer products, or to report an unsafe consumer product or a product-related injury, call **1-800-638-2772,** or visit CPSC's website at cpsc.gov or saferproducts.gov.

State and Local Health and Environmental Agencies
Some states, tribes, and cities have their own rules related to lead-based paint. Check with your local agency to see which laws apply to you. Most agencies can also provide information on finding a lead abatement firm in your area, and on possible sources of financial aid for reducing lead hazards. Receive up-to-date address and phone information for your state or local contacts on the Web at epa.gov/lead, or contact the National Lead Information Center at **1-800-424-LEAD.**

Hearing- or speech-challenged individuals may access any of the phone numbers in this brochure through TTY by calling the toll-free Federal Relay Service at **1-800-877-8339**.

U. S. Environmental Protection Agency (EPA) Regional Offices

The mission of EPA is to protect human health and the environment. Your Regional EPA Office can provide further information regarding regulations and lead protection programs.

Region 1 (Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont)

Regional Lead Contact
U.S. EPA Region 1
5 Post Office Square, Suite 100, OES 05-4
Boston, MA 02109-3912
(888) 372-7341

Region 2 (New Jersey, New York, Puerto Rico, Virgin Islands)

Regional Lead Contact
U.S. EPA Region 2
2890 Woodbridge Avenue
Building 205, Mail Stop 225
Edison, NJ 08837-3679
(732) 321-6671

Region 3 (Delaware, Maryland, Pennsylvania, Virginia, DC, West Virginia)

Regional Lead Contact
U.S. EPA Region 3
1650 Arch Street
Philadelphia, PA 19103
(215) 814-2088

Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee)

Regional Lead Contact
U.S. EPA Region 4
AFC Tower, 12th Floor, Air, Pesticides & Toxics
61 Forsyth Street, SW
Atlanta, GA 30303
(404) 562-8998

Region 5 (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin)

Regional Lead Contact
U.S. EPA Region 5 (DT-8J)
77 West Jackson Boulevard
Chicago, IL 60604-3666
(312) 886-7836

Region 6 (Arkansas, Louisiana, New Mexico, Oklahoma, Texas, and 66 Tribes)

Regional Lead Contact
U.S. EPA Region 6
1445 Ross Avenue, 12th Floor
Dallas, TX 75202-2733
(214) 665-2704

Region 7 (Iowa, Kansas, Missouri, Nebraska)

Regional Lead Contact
U.S. EPA Region 7
11201 Renner Blvd.
WWPD/TOPE
Lenexa, KS 66219
(800) 223-0425

Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming)

Regional Lead Contact
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
(303) 312-6966

Region 9 (Arizona, California, Hawaii, Nevada)

Regional Lead Contact
U.S. EPA Region 9 (CMD-4-2)
75 Hawthorne Street
San Francisco, CA 94105
(415) 947-4280

Region 10 (Alaska, Idaho, Oregon, Washington)

Regional Lead Contact
U.S. EPA Region 10
Solid Waste & Toxics Unit (WCM-128)
1200 Sixth Avenue, Suite 900
Seattle, WA 98101
(206) 553-1200

Consumer Product Safety Commission (CPSC)

The CPSC protects the public against unreasonable risk of injury from consumer products through education, safety standards activities, and enforcement. Contact CPSC for further information regarding consumer product safety and regulations.

CPSC
4330 East West Highway
Bethesda, MD 20814-4421
1-800-638-2772
cpsc.gov or saferproducts.gov

U. S. Department of Housing and Urban Development (HUD)

HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. Contact HUD's Office of Healthy Homes and Lead Hazard Control for further information regarding the Lead Safe Housing Rule, which protects families in pre-1978 assisted housing, and for the lead hazard control and research grant programs.

HUD
451 Seventh Street, SW, Room 8236
Washington, DC 20410-3000
(202) 402-7698
hud.gov/offices/lead/

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U. S. EPA Washington DC 20460
U. S. CPSC Bethesda MD 20814
U. S. HUD Washington DC 20410

EPA-747-K-12-001
September 2013

IMPORTANT!

Lead From Paint, Dust, and Soil in and Around Your Home Can Be Dangerous if Not Managed Properly

- Children under 6 years old are most at risk for lead poisoning in your home.
- Lead exposure can harm young children and babies even before they are born.
- Homes, schools, and child care facilities built before 1978 are likely to contain lead-based paint.
- Even children who seem healthy may have dangerous levels of lead in their bodies.
- Disturbing surfaces with lead-based paint or removing lead-based paint improperly can increase the danger to your family.
- People can get lead into their bodies by breathing or swallowing lead dust, or by eating soil or paint chips containing lead.
- People have many options for reducing lead hazards. Generally, lead-based paint that is in good condition is not a hazard (see page 10).

EXHIBIT III-I.1

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) _____ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

_____

(ii) _____ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (check (i) or (ii) below):

(i) _____ Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

_____

(ii) _____ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgment (initial)

(c) _____ Purchaser has received copies of all information listed above.

(d) _____ Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home.*

(e) Purchaser has (check (i) or (ii) below):

(i) _____ received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

(ii) _____ waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (initial)

(f) _____ Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Seller	Date	Seller	Date
Purchaser	Date	Purchaser	Date
Agent	Date	Agent	Date

EXHIBIT IV-A

Definition of Annual Income 24 CFR, Part 5, Subpart F (Section 5.609)

§ 5.609 Annual Income.

(a) *Annual income* means all amounts, monetary or not, which:

(1) Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or

(2) Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

(3) Which are not specifically excluded in paragraph (c) of this section.

(4) Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

(b) Annual income includes, but is not limited to:

(1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;

(2) The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;

(3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (b)(2) of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of $5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD;

(4) The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided in paragraph (c)(14) of this section);

(5) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (except as provided in paragraph (c)(3) of this section);

(6) *Welfare assistance payments.*

(i) Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments:

(A) Qualify as assistance under the TANF program definition at 45 CFR 260.31; and

(B) Are not otherwise excluded under paragraph (c) of this section.

(ii) If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:

(A) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus

(B) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.

(7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling;

(8) All regular pay, special pay and allowances of a member of the Armed Forces (except as provided in paragraph (c)(7) of this section).

(9) For section 8 programs only and as provided in 24 CFR 5.612, any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 *et seq.*), from private sources, or from an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children. For purposes of this paragraph, “financial assistance” does not include loan proceeds for the purpose of determining income.

(c) Annual income does not include the following:

(1) Income from employment of children (including foster children) under the age of 18 years;

(2) Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);

(3) Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses (except as provided in paragraph (b)(5) of this section);

(4) Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;

(5) Income of a live-in aide, as defined in 24 CFR § 5.403;

(6) Subject to paragraph (b)(9) of this section, the full amount of student financial assistance paid directly to the student or to the educational institution;

(7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;

(8) (i) Amounts received under training programs funded by HUD;
(ii) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
(iii) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
(iv) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed $200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time;
(v) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;

(9) Temporary, nonrecurring or sporadic income (including gifts);

(10) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;

(11) Earnings in excess of $480 for each full-time student 18 years old or older (excluding the head of household and spouse);

(12) Adoption assistance payments in excess of $480 per adopted child;

(13) [Reserved]

(14) Deferred periodic amounts from supplemental security income and social security benefits that are received in a lump sum amount or in prospective monthly amounts.

(15) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;

(16) Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or

(17) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the FEDERAL REGISTER and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. [Federally Mandated Exclusions listed below in **Attachment G.1**]

Federally Mandated Exclusions from Annual Income

Following is the list of benefits that currently qualify for this income exclusion. The list includes those relevant exclusions that may be applicable to the IHBG program.

1. The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017(b))

2. Payments to Volunteers under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5044(f)(1), 5058)

3. Certain payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c))

4. Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e)

5. Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f))

6. Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94–540, section 6)

7. The first $2000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the U.S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first $2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407)

   Please note the recipient may need to examine certain per capita shares to determine whether the proceeds are covered by this provision, such as bingo and gambling proceeds. Although some gaming funds are called "per capita payments", the National Indian Gaming Commission's General Counsel and the Solicitor's office of the Department of the Interior confirmed that the proceeds of gaming operations regulated by the Commission are not funds that are held in trust by the Secretary for the benefit of an Indian tribe, therefore, they do not qualify as per capita payments within the meaning of the Per Capita Distribution Act.

   Also, if a tribal member receives the Form 1099-Misc, Miscellaneous Income, from the tribe for reporting Indian gaming profits, this payment does not qualify for this provision. These gaming profits are income that must be included as annual income as defined by HUD's Section 8 Program, the Census, and the IRS. Further, the tribal member must report this miscellaneous income on the "other income" line of the Federal Income tax 1040 Form;

8. Amounts of scholarships funded under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070), including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu).

9. Payments received from programs funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056g)

10. Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund (Pub. L. 101–201) or any other fund established pursuant to the settlement in In Re Agent Orange Liability Litigation, M.D.L. No. 381 (E.D.N.Y.)

11. Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96–420, 25 U.S.C. 1721)

12. The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q)

13. Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95–433)

14. Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d))

15. Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602(c))

16. Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931(a)(2))

17. Any amount received under the Richard B. Russell School Lunch Act (42 U.S.C.1760(e)) and the Child Nutrition Act of 1966 (42 U.S.C. 1780(b)), including reduced-price lunches and food under the Special Supplemental Food Program for Women, Infants, and Children (WIC)

18. Payments, funds, or distributions authorized, established, or directed by the Seneca Nation Settlement Act of 1990 (25 U.S.C. 1774f(b))

19. Payments from any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts as provided by an amendment to the definition of annual income in the U.S. Housing Act of 1937 (42 U.S.C. 1437A) by section 2608 of the Housing and Economic Recovery Act of 2008 (Pub. L. 110–289). This exclusion will apply when an IHBG recipient adopts the Section 8 definition of annual income

20. A lump sum or a periodic payment received by an individual Indian pursuant to the Class Action Settlement Agreement in the case entitled *Elouise Cobell et al. v. Ken Salazar et al.*, 816 F. Supp. 2d 10 (Oct. 5, 2011 D.D.C.), as provided in the Claims Resolution Act of 2010 (Pub. L. 111–291). This exclusion will apply for one year from the time that payment is received.

21. Major disaster and emergency assistance received by individuals and families under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Pub. L. 93–288, as amended) comparable disaster assistance provided by States, local governments, and disaster assistance organizations shall not be considered as income or a resource when determining eligibility for or benefit levels under federally funded income assistance or resource-tested benefit programs (42 U.S.C. 5155(d)).

EXHIBIT IV-B

CPD Income Eligibility Calculator User Manual

Version 4.0

3/8/2016

Document History

Release No.	Date	Revision Description
1.0	11/1/12	Initial Creation
1.1	12/7/12	Inserted language about unearned income of minors and full-time students; inserted language about adult members of household; updated screenshots
1.2	3/28/13	Inserted language about addressing grantee requirements
1.3	3/10/14	Removed purge date
2.0	8/12/2014	Updated document to reflect HUD Exchange website rebranding
3.0	1/26/2016	Provided clarification on 30% income limit and minor edits throughout
4.0	3/8/2016	Added the Emergency Solutions Grants Program (ESG)
4.1	3/29/2016	Minor updates

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Introduction

The CPD Income Eligibility Calculator User Manual presents information on using the CPD Income Eligibility Calculator. It contains useful background information, glossary of terms, instructions, and links to additional resources.

The User Manual is organized as follows:

Section 1: Overview

Section 2: Using the Calculator

Section 3: Terms and Definitions

Section 4: Income Determination Resources

Section 1: Overview

1.1 INCOME CALCULATOR INTRODUCTION

1.1.1 What is the CPD Income Eligibility Calculator?

The CPD Income Eligibility Calculator is an interactive tool that makes determining the income eligibility and assistance amounts for beneficiaries of CPD programs as easy as 1-2-3. Simply enter the requested data and this Calculator will work behind the scenes to generate a summary of results for each beneficiary. You should then print out the summary and include it as part of the beneficiary's file.

The Calculator currently performs income eligibility and assistance amount calculations (as applicable) for the following HUD CPD programs:

- Brownfield Economic Development Initiative (BEDI)
- Community Development Block Grant Program (CDBG)
- CDBG Disaster Recovery Assistance (CDBG-DR)
- Emergency Solutions Grants Program (ESG)
- HOME Investment Partnerships Program (HOME)
- Housing Opportunities for Persons with AIDS (HOPWA)
- Neighborhood Stabilization Program (NSP)
- Section 108 Loan Guarantee Program
- Self-Help Homeownership Opportunity (SHOP)

The CPD Income Eligibility Calculator is a tool designed to assist CPD grantees in their responsibility to accurately calculate and appropriately document their income determinations of CPD program beneficiaries. It is not, and does not provide, online training regarding the rules for determining income (such as whose income to account, etc.) Refer to Section 4: Income Determination Resources for links to a number of resources that are available about the rules for determining income.

The Calculator is a tool to help a grantee calculate income, but it does not *verify* income. The Calculator should not replace the documentation collected by the grantee. The grantee must maintain all documentation and if using the Calculator, it is helpful to print out and maintain the summary documents generated in the Calculator for Annual Income, and as applicable Adjusted Income and Tenant Payments. Record retention will depend upon the CPD program so grantees should be aware of the length of time records must be kept as well as their own state or local laws related to record retention and privacy.

The Calculator is designed to calculate eligibility based on the amount of income that is entered for the beneficiary. Grantees may have specific requirements written into their policies and procedures that are not included or accounted for in the Income Eligibility Calculator (for example, minimum tenant contribution). Therefore, grantees should always review the final calculations produced from this tool and apply their own grantee's requirements if they are more restrictive. If this is the case, a note should be included in the beneficiary's file noting this change.

1.1.2 HUD Disclaimer

HUD makes no warranties or representations whatsoever regarding the quality, content, completeness, accuracy, or timeliness of the information and data contained in the CPD Income Eligibility Calculator. Please read through the terms and conditions of use, including the liability and privacy policy.

1.1.3 Policy Questions

If you have policy questions about income eligibility and determination, please contact HUD.

- For BEDI, CDBG, CDBG Disaster Recovery Assistance, HOME, and Section 108, contact your local HUD Field Office.
- For ESG, HOPWA, and NSP, submit your question via HUD Exchange Ask A Question and receive answers directly via email.
- For SHOP, contact HUD's Office of Affordable Housing Programs.

1.1.4 Technical Issues

If you have technical difficulties using the Income Eligibility Calculator, please contact info@hudexchange.info.

Section 2: Using the Calculator

2.1 REGISTER/LOG IN

Go to: https://www.hudexchange.info/incomecalculator

2.1.1 Request an Account

To access the Income Eligibility Calculator, you must create an account and log in to the Calculator each time. Your account will give you access to calculations you have created in the past and allow you to create and save new ones.

Step 1: Click on **Register Now** at the right side of the screen.

Step 2: Carefully fill in all fields

- Note that all fields are required
- Be sure to create a username and password you will remember

Step 3: Click the **Create Account** button. Once you submit your registration information, you will be logged in.

2.1.2 Log In

To log in, simply:

Step 1: Enter your username and password.

Step 2: Click on **Log In.**

2.1.3 Forget Username or Password

If you forgot your username or password, please use the following instructions:

Step 1: Enter your email address in the **Forget Username and Password** box on the Income Eligibility Calculator Sign In page.

Step 2: Click on **Get Password.**

Step 3: You will receive an email at the address you entered containing your username and new password.

Step 4: Follow the log in instructions in the email to access the Calculator.

2.1.3 Change Password

To change your password, please use the following instructions:

Step 1: Click on your user name in the upper right of the screen, then click "My Account." Note: you must be logged into the Income Eligibility Calculator in order to change your password.

Step 2: On the My Account page, click "Change password" and carefully enter a new password into the fields.

Step 3: Click on **Submit**.

2.2 START A NEW CALCULATION

Prior to starting a new calculation, you should have the following items available:

- A printer (or, a writing instrument and a piece of blank paper);
- Any previous income determinations completed for the beneficiary; and
- Documentation of income for all members of the beneficiary's family or household.

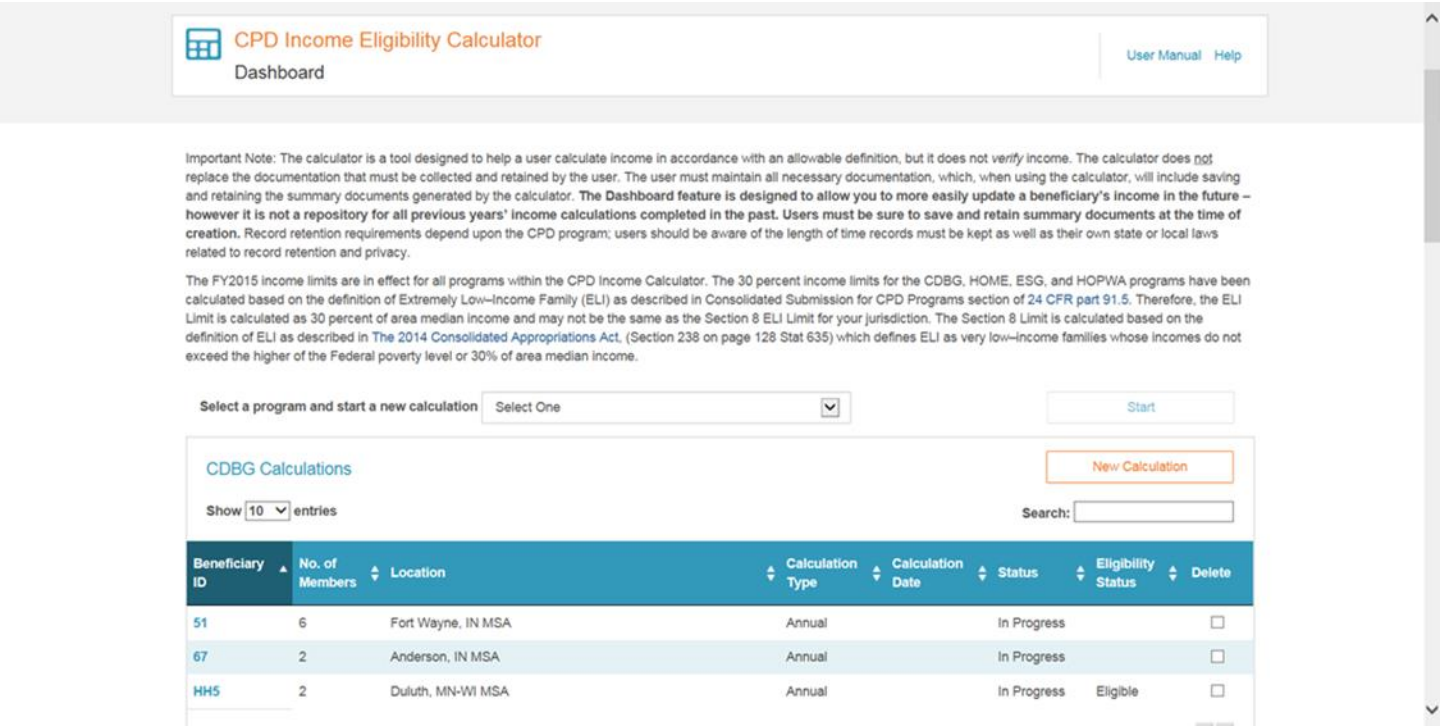
Allow yourself at least 15 minutes to complete each applicant's calculation summary. Some calculations may take longer depending upon the experience of the user, the number of household members, the speed of the internet connection, and other factors.

Go to: https://www.hudexchange.info/incomecalculator

2.2.1 Select a Program

Before getting started, it is best to know the mix of programs that may be funding an activity. You should then identify which CPD program has the most restrictive income determination requirements, and follow that program's path within the Income Eligibility Calculator.

From the Income Calculator Dashboard, select the applicable program.



2.2.2 Select a Beneficiary ID

The Income Calculator asks for a "Beneficiary ID" instead of a "Last Name" to help protect the privacy of applicants to CPD programs. The Beneficiary ID you enter should be unique, will be included on the Calculator screens and printouts, and will be the key data element necessary to later find, complete, and/or edit the income determination performed for that beneficiary within the Calculator.

DO NOT use any personal information to create a Beneficiary ID, including but not limited to names, social security numbers, or addresses.

Each user is responsible for designing their own method for creating Beneficiary IDs, as well as maintaining and adequately protecting their own auditable records which associate each Beneficiary ID with the individual, family, or household whose income was determined (as appropriate and/or required under the rules of each CPD program.) Printouts from the Calculator for all programs except HOPWA will include both the Beneficiary ID and a blank space in which the Last Name of the associated individual, family, or household can be written or otherwise inserted.

IMPORTANT NOTE: Once you create a Beneficiary ID for an individual, family, or household, you cannot edit that Beneficiary ID. If you need to change that Beneficiary ID, you must create a new calculation.

2.2.2 Select Member IDs

The Income Calculator asks for "Member IDs" instead of "First Names" to help protect the privacy of applicants to CPD programs. Each Member ID you enter should be unique to an individual within the family or household associated with this Beneficiary ID. Printouts from the Calculator for all programs except HOPWA will include the Member IDs entered, along with a blank space in which the First Name of the associated individual can be written or otherwise inserted.

DO NOT use any personal information to create Member ID(s), including but not limited to names, social security numbers, or addresses.

Each user is responsible for designing their own method for creating Member IDs, as well maintaining and adequately protecting their own auditable records which connect Member IDs to the associated individuals within the family or household whose income was determined (as appropriate and/or required under the rules of each CPD program.)

The Income Calculator provides capability for up to 12 members per family or household.

Note: Simply leave all checkboxes blank if the member is over the age of 18 years old and does not meet any of the criteria listed on the Beneficiary Member table.

Example: A 26-year old sibling of the head of household who is living in the household who is also non-disabled and is not a full-time student.

IMPORTANT NOTE: Once you select the number of members, you cannot change the number of members for that Beneficiary. If you need to change the number of members, you must create a new calculation.

2.3 ANNUAL INCOME CALCULATION

Prior to calculating income, you should know which CPD program you are using as well as the activity (and for CDBG, NSP, etc. the national objective), or for ESG which component. Each CPD program calculates income a little differently and the rules surrounding the calculation differ depending upon the activity or component. This section is provided in the order of the income calculator, not specifically on the order of how you conduct income eligibility.

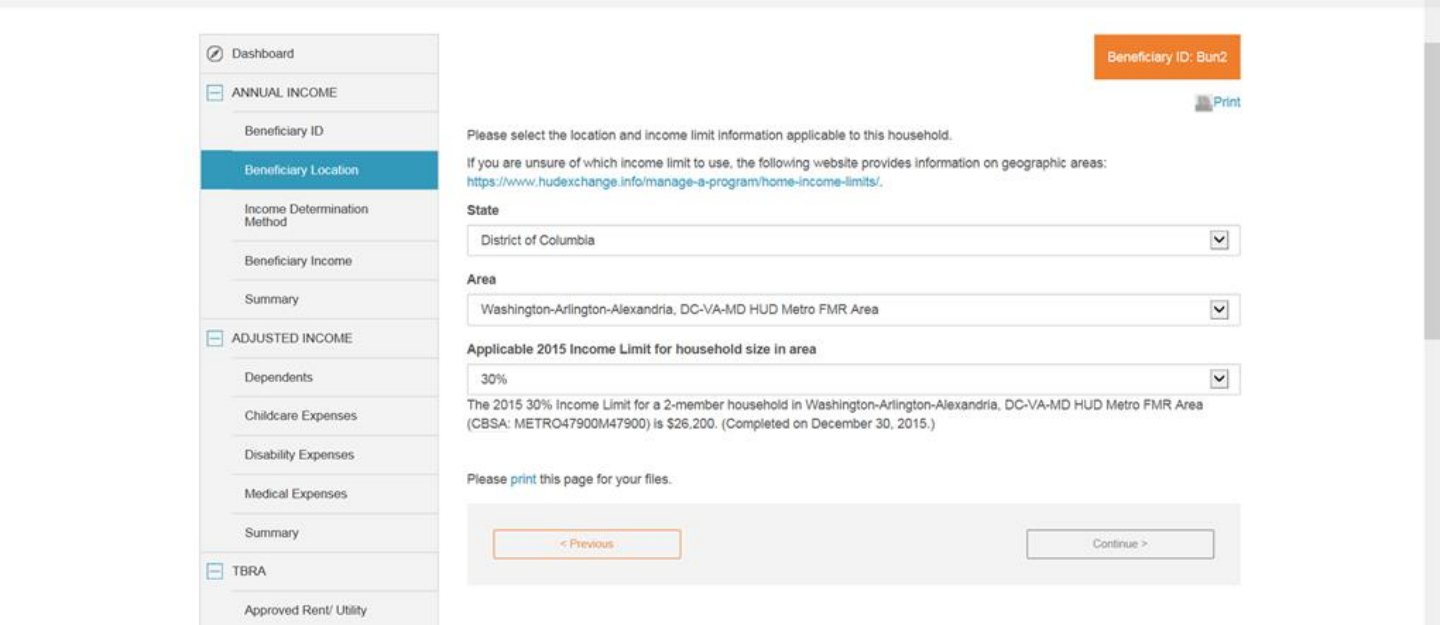
2.3.1 Income Limits

The 30 percent income limits used for the CDBG, ESG, HOME, and HOPWA programs have been calculated based on the definition of Extremely Low-Income Family (ELI) as described in Consolidated Submission for CPD Programs section of 24 CFR part 91.5. Therefore, the ELI Limit is calculated as 30 percent of area median income and may not be the same as the Section 8 ELI Limit for your jurisdiction. The Section 8 Limit is calculated based on the definition of ELI as described in The 2014 Consolidated Appropriations Act, (Section 238 on page 128 Stat 635) which defines ELI as very low-income families whose incomes do not exceed the higher of the Federal poverty level or 30% of area median income.

The remaining income limits (50%, 60%, 80% and for NSP, 120%) are based upon the HUD income limits are published annually by HUD and are imported into the CPD Income Eligibility Calculator.

For each calculation, the user selects the geographic area (county or metropolitan area), the number of members in the beneficiary household, and the applicable income limit (30%, 50%, 60%, 80%, 120%). The Calculator then applies the

resulting annual income limit to the income determination being performed. Users should print the Income Limit page that is displayed by the Calculator for their files.



For 10 metropolitan statistical areas (MSAs), at the 80% income limit, they have the option to use either the HUD published 80% income limit or what is called an "uncapped income limit" based upon an exception the Secretary of HUD is authorized to provide under the Quality and Work Responsibility Act of 1998. The MSAs affected by this law are the following:

- Orange County, CA PMSA;
- San Francisco, CA PMSA;
- San Jose, CA PMSA;
- Danbury, CT PMSA;
- Stamford-Norwalk, CT PMSA;
- Washington, DC-MD-VA-WV PMSA;
- Bergen-Passaic, NJ PMSA;
- Middlesex-Somerset-Hunterdon, NJ PMSA;
- Nassau-Suffolk, NY PMSA; and
- Westchester County, NY

This law only covers HOME and CDBG programs and the uncapped limits are not provided in the Calculator as they are only an option for the grantee and not required. For further information, please check with your HUD Field Office and see the following website: http://www.hud.gov/offices/cpd/systems/census/lowmod/uncapped.cfm.

2.3.2 Self Certification of Annual Income by Beneficiary for Programs that Allow This Method

In some cases, activities may choose to use a verifiable self-certification to document the income of beneficiaries in lieu of a full income calculation or for recertification (see section 2.3.3). A verifiable self-certification is based on a Self-Certification of Annual Income by Beneficiary form in which the beneficiary states and signs-off on their income at the time of assistance.

The Self Certification of Annual Income by Beneficiary is a written statement from the beneficiary documenting the definition used to determine Annual (Gross) Income, the number of beneficiary members in the family or household (as applicable based on the activity), and the relevant characteristics of each member for the purposes of income determination. To complete the form, the user selects the definition of income used, fills in the blank fields, and checks

only the boxes that apply to each member. Adult beneficiary members must then sign the form to certify that the information is complete and accurate, and that source documentation will be provided upon request. The form includes space for up to 12 members of a beneficiary. Users should print the Self Certification of Annual Income by Beneficiary form and include the completed form in their beneficiary files. For HOPWA, users must not enter or write any personal information on the printout of the form including but not limited to names, social security numbers, or addresses.

Using a self-certification approach to income documentation can put the activity at possible risk if a beneficiary is later audited and determined to be over the applicable income limit.

The following terms are used in the Self-Certification of Annual Income by Beneficiary form. Each of these terms is defined in the Terms & Definitions section.

- Definition of Income: HUD 24 CFR Part 5; IRS 1040; American Community Survey
- Beneficiary ID
- Member IDs
- Head of Household
- Co-Head of Household
- Persons with disabilities
- Fulltime student
- Annual gross income

The user must be aware of when and how to use the calculator to determine the Annual Income of *households* versus persons within a *family*. The term "household" is used throughout the ESG, HOME, NSP, and HOPWA, and SHOP portions of the calculator as it is the appropriate term and unit of analysis for income determinations being performed for these housing programs, while persons within a family or family may be the appropriate unit of analysis and term for public services, public facilities or job activities under the CDBG, CDBG Disaster Recovery, Section 108, and BEDI programs. See the terms and definitions for further information.

2.3.3 Recertifications & Re-evaluations

Depending upon the CPD program, recertifications and/or re-evaluations of a household's annual income is required.

Annual Income Recertification for certain HOME, HOPWA Programs

During an annual income recertification of a family residing in HOME- or HOPWA- assisted rental housing, or receiving HOME tenant-based rental assistance (TBRA) or HOPWA rental assistance, it is necessary to manually exclude from annual income certain increases in the income of a disabled family member. These exclusions apply to annual income increases resulting from the following:

- Employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment;
- Increased earnings by a family member who is a person with disabilities during participation in any economic self-sufficiency or other job training program; or
- New employment or increased earnings of a family member who is a person with disabilities, during or within six months after receiving assistance, benefits or services under any state program for families funded under Part A of Title IV of the Social Security Act, as determined by the responsible entity in consultation with the local agencies administering Temporary Assistance for Needy Families (TANF) and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance--provided that the total amount over a six-month period is at least $500.

These exclusions from annual income are of limited duration. The full amount of increase to a qualified family's annual income is excluded for the cumulative 12-month period beginning on the date the disabled family member is first employed or the family first experiences an increase in annual income attributable to the employment. During the second cumulative 12-month period, the grantee, or project sponsor is required to exclude from annual income 50

percent of any increase in income. The disallowance of increased income of an individual family member who is a person with disabilities is limited to a lifetime 48-month period.

Annual Income Recertifications by Government Programs

In some cases, activities may choose to use a verifiable recertification from a government program administrator to document the income of beneficiaries. A verifiable recertification is based on a Recertification of Annual Income by Government Programs form in which a government program administrator states and signs-off on the income of the beneficiary at the time of assistance.

The Recertification of Annual Income by Government Programs is a written statement from the administrator of another government program under which the beneficiary receives benefits, and that examines the annual (gross) income of the beneficiary each year. To complete the statement, the administrator must fill in all of the blank fields, confirm that the information about the members of the beneficiary family or household (as applicable based on the activity) matches the program's records, and sign the form. The form includes space for up to 12 members of a household. Users should print the Recertification of Annual Income by Government Programs form and include the completed form in your beneficiary files. For HOPWA, users must not enter or write any personal information on the printout of the form including but not limited to names, social security numbers, or addresses.

Using a government administrator recertification approach to income documentation can put the activity at possible risk if a beneficiary is later audited and determined to be over the applicable income limit.

The following terms are used in the Self-Certification of Annual Income by Government Programs form. Each of these terms is defined in the Terms & Definitions section.

- Beneficiary ID
- Member IDs
- Annual gross income

Re-Evaluations of Income Eligibility for the ESG Program

Under the Emergency Solutions Grants Program (ESG), income eligibility is re-evaluated every three months for homeless prevention and no less than annually for rapid-rehousing assistance. To remain eligible for assistance at re-evaluation, the household must have an annual income that does not exceed 30% of median family income for the area, as determined by HUD.

2.3.4 Income Definitions

Part 5 Annual Income

Under the Part 5 definition, income sources are either included or excluded as part of Annual Income. The following are typical sources of income:

- Wages/Salaries
- Benefits/Pensions
- Public Assistance
- Other Income

Unearned Income of Minors

Unearned income that is attributable to a minor (e.g., child support, SSI, TANF payments and other benefits paid on behalf of a minor) is actually part of the relevant adult member's annual income and should be added to that member's income as appropriate. When entering such amounts, it may be helpful to include a note in the Description describing to which minor member the amount is attributable. The Calculator does not include this income in the annual income calculations when it is put under a minor child.

Income of Full-Time Students

The employment income of full-time students in excess of $480 is not counted in the annual income calculation.

Passbook Rate

Under the Part 5 definition, a household may have assets with an increased payment-ability, even if its assets do not currently produce income. (For example, a household that owns land that is not rented or otherwise used to produce income.) Rather than require the household to dispose of the property, the rule requires that an "imputed" income be calculated based on a Passbook Rate that is applied to the cash value of all assets.

There are three options for the grantee in setting the rate to be used as its passbook savings rate:

1. Use the same passbook savings rate used by their local public housing authority (PHA);

2. Use the passbook savings rate published by HUD's Office of Multifamily Housing; or

As described in Notice H 2014-15, the Office of Multifamily Housing will publish a passbook savings rate and its effective date through a Housing program notice at least annually (the most current notice is Notice H 2016-01); or

3. Establish its own passbook savings rate.

If a grantee chooses to establish its own rate in calculating imputed income from assets, then the grantee should review its passbook savings rate at least annually to determine that it is allowable. The grantee may establish a passbook savings rate within 75 basis points (plus or minus .75 percent) of the Savings National Rate in effect at the time the grantee establishes the passbook savings rate, and the passbook savings rate may not be less than 0 percent. The Savings National Rate is a simple average of rates paid by United States (US) depository institutions as calculated by the Federal Deposit Insurance Corporation (FDIC). The FDIC publishes this rate on a weekly basis. Historical and current Savings National Rates can be accessed on the FDIC website.

Please note that for all programs within HUD's Office of Block Grant Assistance (OBGA), CDBG, CDBG-DR, and NSP, the imputed asset calculation is not required, so including the cash value of assets and using the passbook rate will not be displayed in the calculator.

Part 5 Assets

Under the Part 5 definition, assets are categorized as either:

- **Total $5,000 or Less** - If the total cash value of all the family's assets is $5,000 or less, the actual income the family receives from assets is the amount that is included in annual income as income from assets.
- **Exceed $5,000** - When net family assets are more than $5,000, annual income includes the greater of the following:
  a. Actual income from assets; or
  b. A percentage of the value of family assets based upon the current passbook savings rate as established by HUD. This is called imputed income from assets. The passbook rate is currently set at 2%.

To begin this calculation, first add the cash value of all assets. Multiply the total cash value of all assets by .02. The product is the "imputed income" from assets. Then, add the actual income from all assets. The greater of the imputed income from assets or the actual income from assets is included in the calculation of annual income.

The following are typical sources of assets:

- Cash (e.g., checking, savings)
- Equity
- Stocks
- Retirement Accounts
- Pension Funds
- Life Insurance
- Personal Property
- Lump Sums
- Deeds

IRS Form 1040 Gross Adjusted

When using the IRS Form 1040 definition to determine an applicant's annual income, users must use the most current long form version of IRS Form 1040—the version filed for current year tax reporting purposes. While the online worksheet is a general representation of the IRS Form 1040, it is not updated annually to reflect all changes in the Income and Deductions line items each tax year. The user is advised to consult the IRS Web site at irs.gov for the most current version of and the instructions for this form. Income or Deduction items included in the most current IRS Form 1040, but not specifically reflected below, may be accommodated using the "Other Income" and "Other Deductions" line items below.

Income Line Items Provided for the IRS

- Wages, salaries, tips, etc.
- Overtime/bonus pay
- Raises/COLAs
- Taxable interest
- Ordinary dividends
- Taxable refunds, credits, or offsets of state and local income taxes
- Alimony received
- Business income or (loss)
- Capital gain or (loss)
- Other gains or (losses)
- Taxable amount of IRA distributions
- Taxable amount of Pensions and annuities
- Rentals, real estate, royalties, partnerships, S corporations, trusts, etc.
- Farm income or (loss)
- Unemployment compensation
- Taxable amount of Social security benefits
- Other income (if any)

Deduction Line Items Provided for the IRS

- Educator expenses
- Certain business expenses of reservists, performing artists, and fee-basis government officials
- Health savings account deduction
- Moving expenses
- Deductible part of self-employment tax
- Self-employed SEP, SIMPLE, and qualified plans
- Self-employed health insurance deduction
- Penalty on early withdrawal of savings
- Alimony paid
- IRA deduction
- Student loan interest deduction
- Tuition and fees
- Domestic production activities deduction
- Other Deductions (if any)

American Community Survey

When using the American Community Survey definition to determine an applicant's annual income, users must use the most current version of the American Community Survey. The user is advised to consult the U.S. Census website for the most current version of and the instructions for the ACS form. Income or Deduction items included in the most current ACS Form, but not specifically reflected below, may be accommodated using the "Other Income" and "Other Deductions" line items below.

- Wages, salary, commissions, bonuses, or tips from all jobs. Report amount before deductions for taxes, bonds, dues, or other items.

- Self-employment income from own nonfarm businesses or farm businesses, including proprietorships and partnerships. Report NET income after business expenses.
- Interest, dividends, net rental income, royalty income, or income from estates and trusts. Report even small amounts credited to an account.
- Social Security or Railroad Retirement.
- Supplemental Security Income (SSI).
- Any public assistance or welfare payments from the state or local welfare office.
- Retirement, survivor, or disability pensions. Do NOT include Social Security.
- Any other sources of income received regularly such as Veterans' (VA) payments, unemployment compensation, child support or alimony. Do NOT include lump sum payments such as money from an inheritance or the sale of a home.

2.4 ADJUSTED INCOME CALCULATION

The second section of the income calculator is on how to determine adjusted income. This section is not used by all CPD programs.

The adjusted income calculation is used to determine ability to pay for rent and utilities, by first deducting from annual income a set of deductions. For example, adjusted income is used to determine the rent for a tenant in a HOME-only assisted rental unit whose income increases above 80 percent of the area median or when coupled with the final part of the calculator, rental assistance, the tenant payment depending the model chosen by the grantee.

Adjusted income is derived by subtracting any of five deductions (allowances) that apply to the household from the household's annual (gross) income. The deductions must be applied whenever adjusted income is calculated for eligible households.

A household's eligibility for adjustments to annual (gross) income depends in part on whether the household qualifies as an elderly household, a disabled household, or a non-elderly, non-disabled household. While defined at 24 CFR 5.611, deductions are applied to eligible households regardless of the definition of annual (gross) income that was initially used to determine their eligibility.

2.4.1 Deductions

Elderly or Disabled Household Deductions

A household that meets the definition of an elderly or disabled household is entitled to a deduction of $400 per household.

Dependent Deductions

For each household dependent, deduct $480 from a household's annual (gross) income when calculating adjusted income. A dependent is defined as any household member who is not the head, co-head, or spouse, but is under the age of 18 years (note that the calculator uses only the terms head or co-head); or disabled (of any age); or a full-time student (of any age).

Child Care Expenses Deductions

Reasonable child care expenses for the care of a child age 12 or under may be deducted from annual (gross) income if they enable one or more adult family member to seek employment actively, be gainfully employed, or further his/her education; and if the expenses are not reimbursed.

Reasonable child care expenses for the care of a child age 12 or under may be deducted from annual income if the child care (1) enables an adult family member to seek employment actively, be gainfully employed, or further his/her education; and (2) expenses are not paid to a member of the household and are not reimbursed. The amount of the deduction is unlimited, but the child care expenses must be reasonable (i.e., typical for the area, age of child, etc.).

However, if a full-time student has child care expenses related to employment, these expenses are limited to $480, as the employment income of full-time students in excess of $480 is not counted in the annual income calculation.

Medical Expenses Deductions

Elderly or disabled households that have no disability assistance expenses may claim as a deduction medical expenses that are in excess of three percent of their annual (gross) income, so long as they are not already being reimbursed by insurance or through another entity. Medical expenses that may be considered include all medical expenses anticipated to be incurred during the coming year that are not covered by insurance. Although medical expenses are permitted only for elderly or disabled households, once a household qualifies as an elderly or disabled household the medical expenses of all household members are considered.

Disability Assistance Expenses Deductions

Disability assistance expenses can be deducted from a household's annual income to the extent that they exceed three percent of annual income, so long as they are not already being reimbursed by insurance or another entity. Expenses may be deducted if and only if all of the following conditions are met: (1) they are reasonable, (2) they are not reimbursed from another source, (3) they enable a household member to work, (4) they do not exceed the amount of income generated by the person enabled to work, and (5) they are in excess of three percent of annual income.

2.4 RENTAL ASSISTANCE CALCULATION

The final section of the income calculator is on how to determine rental assistance. This section is not used by all CPD programs.

The rental assistance calculation, when coupled with annual and adjusted income, can be used for determining the tenant payment and the amount of assistance applicable to the eligible household in the following situations:

- Tenant and PJ payments under a HOME-funded TBRA program;
- The rent for a tenant if the grantee has a rental housing program in which rents are based on the household's ability to pay; and
- The rent for a tenant receiving HOPWA assistance.

Note: The calculator does not provide rental assistance amounts for ESG rental assistance because the recipient or subrecipient determines the appropriate amount of assistance to provide.

2.4.1 Fair Market Rent/Rent Standard

The rent including applicable utility allowance for unit type and size for the unit typically cannot be above the Fair Market Rent or required rent standard for a jurisdiction when using the certificate program (described below). However, the rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units. Rent must be reasonable to provide HOPWA or HOME rental assistance to house the beneficiary in a unit. Rent reasonableness must be documented for tenant based rental assistance and included in the assisted client's file.

In addition, on a unit-by-unit basis, grantees can have up to 20% of the total TBRA enrollments exceed the FMR/payment standard by 10%. Further, PHAs have the authority to issue a community wide exception on FMR's up to 110% of FMR. If a PHA in the grantee's community has an established rent standard of 110% of FMR, then the grantee may utilize the PHA's established FMR. Additionally, grantees may utilize the rule of an extra 10% for 20% of the units on top of the PHA established FMR. This will allow for a total of 120% for 20% of units and 110% for the remaining units. See HOPWA regulations at 24 CFR 574.320(a)(2) and/or HOME regulations at 24 CFR 92.203.

2.4.2 Approved Rent and Utility Allowances

The approved rent will depend upon the program being used (i.e., HOME, HOPWA, etc.) and what is reasonable for the jurisdiction.

The administrator for the rental program should determine what utility allowances should be used. Typically public housing authorities (PHAs) conduct an annual review of utility costs across a number of different properties in its portfolio. The utility allowance is an estimate of the average monthly utility bills (except telephone) for an energy-conscious household. This estimate considers only utilities paid directly by the tenant. If all utilities are included in the rent, there is not a utility allowance.

2.4.3 Rent Models

This calculator determines assistance amounts using the HUD-prescribed Section 8 method only.

The **Section 8 Rental Certificate Program** assumes a fixed tenant payment - that is, the tenant's share of housing costs, or total tenant payment (TTP), is calculated by formula. The formula for computing TTP under the Certificate Program requires a tenant to pay the greatest of:

- 30 percent of monthly adjusted income;
- 10 percent of monthly annual (gross) income; or
- Welfare rent (which applies only to welfare recipients in as-paid localities).

Under a HOME TBRA program, the PJ would then pay the difference between the tenant's share - the TTP -- and the approved rent for the unit selected by the tenant.

The **Section 8 Rental Voucher Program** assumes a fixed payment from the grantee toward a unit's rent. The maximum grantee subsidy is calculated first, and then the tenant pays the difference between the grantee subsidy and the approved rent for the unit. Using the Rental Voucher method, a grantee establishes its rent standards by unit size for the TBRA program as a whole (see section above on FMR/Rent Standard), and determines 30 percent of each tenant's monthly adjusted income. The difference between these figures is the maximum amount the grantee will pay toward the rent for the unit selected by the tenant. However, a minimum tenant payment of 10 percent of the tenant's monthly annual (gross) income is required.

HOME PJs may establish their own method for determining the TBRA subsidy. You may wish to print the annual and adjusted income summaries from this calculator for reference when using another methodology.

HOPWA grantees should only use the Section 8 Rental Certificate model.

2.5 CALCULATION DASHBOARD

The Calculation Dashboard allows you to start a new calculation, complete a previously started calculation, and review or update a completed calculation. You can also search for a calculation and delete existing calculations. The Dashboard is organized by Program, and each calculation displayed in the dashboard includes the following information:

- Beneficiary ID
- Number of family or household members
- Location – the City and State selected
- Calculation type – Annual, Adjusted, or TBRA
- Calculation date – the date that the calculation was last updated
- Status – In Progress or Complete

- Eligibility status – Eligible, Ineligible, or Blank if not yet determined

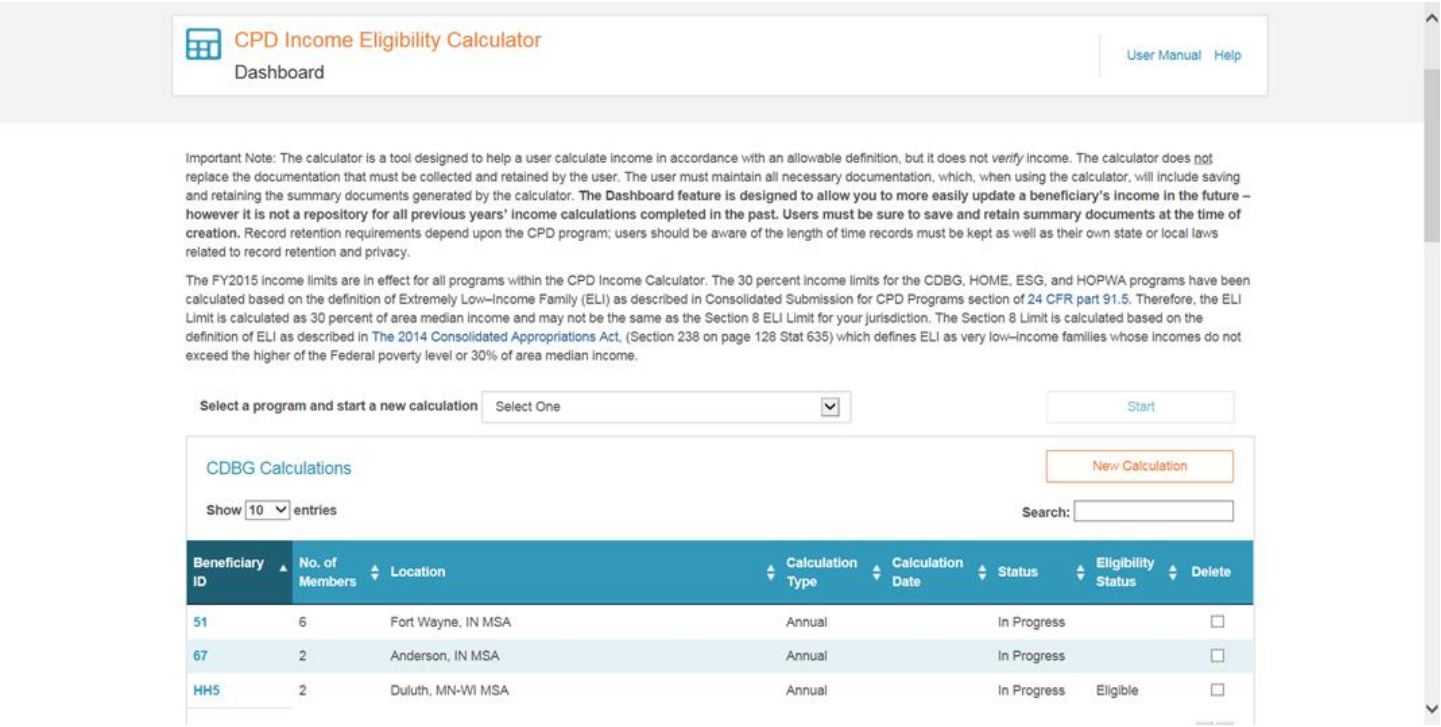
2.5.1 Viewing/Editing Previously Started Calculations

Users may make edits to previously started calculations. From the Calculation Dashboard, find the Calculation and click on the Beneficiary ID.

The calculator stores all data previously entered into the Calculation. The user is required to re-confirm the data by clicking Continue on each screen. You may click on the headings on the left sidebar to skip to various sections of the calculation.

Note the browser back button and previous button on the screen are not always the same due to the various flows for each Program. The browser back button goes to the previous page. The Previous button goes back to the last page from which the user came.

Note new income limits come out each year, typically in the first quarter. If you are in the process of income qualifying a beneficiary, once the income limits are updated in the system, you have to use the new income limits.



Section 3: Terms and Definitions

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

A

ACTUAL INCOME FROM ASSETS: Income derived from assets to which family members have access.

1. Assets are items of value that may be turned into cash. A savings account is a cash asset. The bank pays interest on the asset. The interest is the income from that asset. There are also assets that do not earn interest such as a quantity of money under a mattress: it is a thing of value that could be used to the benefit of its owner, but is not producing income. Some belongings of value are not considered assets. Necessary personal property is not counted as an asset.

2. The calculation to determine the amount of income from assets to include in annual income considers both of the following:

   a. The total cash value of the family's assets; and

   b. The amount of income those assets are earning or could earn.

ACS: See AMERICAN COMMUNITY SURVEY.

ADJUSTED GROSS INCOME: Annual income (as determined by the owner) of the members of the family residing or intending to reside in the dwelling unit, after making the following deductions. In determining adjusted income, the owner must deduct the following amounts from annual income:

1. $480 for each dependent;

2. $400 for any elderly family or disabled family;

3. The sum of the following, to the extent the sum exceeds 3% of annual income: a. Unreimbursed reasonable medical expenses of any elderly family or disabled family; and b. Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed. This deduction may not exceed the earned income received by family members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus; and

4. Any reasonable child care expenses necessary to enable the family member to be employed or to further his or her education.[24 CFR 5.611]

ADJUSTED INCOME: See ADJUSTED GROSS INCOME.

ADULT: An individual who is 18 years of age or older or a minor under the age of 18 who has been emancipated to act on his/her own behalf, including the ability to execute a contract or lease.

ALIMONY: An allowance made to one spouse by the other for support pending or after legal separation or divorce.

AMERICAN COMMUNITY SURVEY (ACS): A nationwide survey designed to provide communities with a fresh look at how they are changing. It is a critical element in the Census Bureau's reengineered 2010 census plan. The ACS

collects information such as age, race, income, commute time to work, home value, veteran status, and other important data from U.S. households.

ANNUAL INCOME: All amounts, monetary or not, which: 1. Go to, or on behalf of, the family head or spouse [or co-head] (even if temporarily absent) or to any other family member; or 2. Are anticipated to be received from a source outside the family during the 12-month period following eligibility; and 3. Which are not specifically excluded [by regulation]. Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access. [24 CFR 5.609]

The HOME Program allows the use of two income definitions for the purpose of determining applicant eligibility:

- Annual income as defined in the Code of Federal Regulations (24 CFR 5.609);
- Adjusted gross income as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040 series for individual federal annual income tax purposes.

The definitions are collectively referred to as "annual income" and are also used in the Community Development Block Grant (CDBG) Program and also the American Community Survey (ACS) is also an eligible definition.

ANNUITIES: The sum of money payable yearly or at other regular intervals.

ANTICIPATED ANNUAL INCOME: Gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period.

APPROVED RENT: Rent requirement as set by HUD that meet one of the following requirements:

1. The rent does not exceed 30 percent of the annual income of a family whose income equals 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD provides the HOME rent limits which include average occupancy per unit and adjusted income assumptions. However, if the rent determined under this paragraph is higher than the applicable rent under 24 CFR 92.252(a), then the maximum rent for units under this paragraph is that calculated under 24 CFR 92.252(a).

2. The rent does not exceed 30 percent of the family's adjusted income. If the unit receives Federal or State project-based rental subsidy and the very low-income family pays as a contribution toward rent not more than 30 percent of the family's adjusted income, then the maximum rent (i.e., tenant contribution plus project-based rental subsidy) is the rent allowable under the Federal or State project-based rental subsidy program.

The Fair Market Rents for unit sizes larger than 4 bedrooms are calculated by adding 15 percent to the 4 bedroom FMR for each extra bedroom.

ASSETS: Items of value that may be turned into cash. Some assets may earn interest, such as savings accounts. Other assets, such as cash, do not earn interest. Some belongings of value are not considered assets. Necessary personal property is not counted as an asset.

B

BROWNFIELDS ECONOMIC DEVELOPMENT INITIATIVE (BEDI): The Brownfields Economic Development Initiative (BEDI) is a key competitive grant program that HUD administers to stimulate and promote economic and community development. BEDI is designed to assist cities with the redevelopment of abandoned, idled and underused industrial and commercial facilities where expansion and redevelopment is burdened by real or potential environmental contamination.

BEDI: See BROWNFIELDS ECONOMIC DEVELOPMENT INITIATIVE.

BENEFICIARY: A family, household, or individual whose income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger households or families. However, HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of unusually high or low household or family incomes.

BENEFICIARY ID: The CPD Income Eligibility Calculator asks for a "Beneficiary ID" instead of a "Last Name" to help protect the privacy of applicants to CPD programs. The Beneficiary ID you enter should be unique, will be included on the Calculator screens and printouts, and will be the key data element necessary to later find, complete, and/or edit the income determination performed for that beneficiary within the Calculator. DO NOT use any personal information to create a Beneficiary ID, including but not limited to names, social security numbers, or addresses.

BENEFITS: Government benefits such as Social Security Benefits, Veterans Administration Benefits, and Unemployment Benefits.

BONUS PAY: Compensation over and above the amount of pay specified as a base salary or hourly rate of pay.

BUSINESS INCOME OR LOSS: Business income is income received from the sale of products or services. For example, fees received by a professional person are considered business income. Rents received by a person in the real estate business are business income. Payments received in the form of property or services must be included in income at their fair market value.

C

CAPITAL GAIN OR LOSS: Everything an individual owns and uses for personal or investment purposes is a capital asset. Examples include a home, household furnishings, and stocks or bonds held in a personal account. When a capital asset is sold, the difference between the basis in the asset and the amount it is sold for is a capital gain or a capital loss. Generally an asset's basis is its cost.

- If you sell the asset for more than your basis it is a capital gain.
- If you sell the asset for less than your basis it is a capital loss.

Capital gains and losses are classified as long-term or short-term. If the asset is held for more than one year before disposed of, the capital gain or loss is long-term. If it is held one year or less, the capital gain or loss is short-term.

CASH: Money in coins or notes, as distinct from checks, money orders, or credit. Cash is either handled individually outside of a bank account or within a bank account such as checking or savings.

CDBG: See COMMUNITY DEVELOPMENT BLOCK GRANT.

CDBG DISASTER RECOVERY ASSISTANCE: Title XII of Division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-005, approved February 17, 2009) appropriates $1 billion to carry out the CDBG program under Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301, et seq.) (HCDA) on an expedited basis. These funds will be distributed to grantees that received CDBG funding in Fiscal Year (FY) 2008 in accordance with the provisions of 42 U.S.C. 5306. The grant program under Title XII is commonly referred to as the CDBG Recovery (CDBG-R) program.

CHILDCARE EXPENSES: See ADJUSTED GROSS INCOME.

CHILD SUPPORT: Court-ordered payments, typically made by a noncustodial divorced parent, to support one's minor child or children.

CODE OF FEDERAL REGULATIONS (CFR): The Code of Federal Regulations (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government. It is divided into 50 titles that represent broad areas subject to federal regulation. Each volume of the CFR is updated once each calendar year and is issued on a quarterly basis.

CO-HEAD OF HOUSEHOLD: An adult member of the family who is treated the same as a head of the household for purposes of determining income eligibility.

COLA: See COST OF LIVING ADJUSTMENT (COLA).

COMMISSIONS: A fee paid to an agent or employee for transacting a piece of business or performing a service; especially, a percentage of the money received from a total paid to the agent responsible for the business.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG): Created under the Housing and Community Development Act of 1974, this program provides grant funds to local and state governments to develop viable urban communities by providing decent housing with a suitable living environment and expanding economic opportunities to assist low- and moderate-income residents. CDBG replaced several categorical grant programs, such as the Model Cities program, the Urban Renewal program, and the Housing Rehabilitation Loan and Grant program.

COMMUNITY PLANNING AND DEVELOPMENT (CPD): HUD's Office of Community Planning and Development seeks to develop viable communities by promoting integrated approaches that provide decent housing, a suitable living environment, and expand economic opportunities for low- and moderate-income persons. The primary means toward this end is the development of partnerships among all levels of government and the private sector, including for-profit and nonprofit organizations.

COST OF LIVING ADJUSTMENT (COLA): Employment contracts, pension benefits, and government entitlements (such as Social Security) can be tied to a cost-of-living index, typically to the Consumer Price Index (CPI). A Cost of Living Allowance (COLA) adjusts salaries based on changes in a cost-of-living index. Salaries are typically adjusted annually. They may also be tied to a cost-of-living index that varies by geographic location if the employee moves.

CPD: See COMMUNITY PLANNING AND DEVELOPMENT.

CURRENT CASH VALUE OF ASSETS: Income derived from assets to which family members have access. Assets are items of value that may be turned into cash. A savings account is a cash asset. The bank pays interest on the asset. The interest is the income from that asset. There are also assets that do not earn interest such as a quantity of money under a mattress: it is a thing of value that could be used to the benefit of its owner, but is not producing income. Some belongings of value are not considered assets. Necessary personal property is not counted as an asset.

D

DEDUCTIONS: Amounts subtracted or withheld from your gross income. Some deductions, such as taxes, are required by law. Others are elective. See ADJUSTED INCOME.

DEEDS: A signed and usually sealed instrument containing some legal transfer, bargain, or contract.

DEMOLITION: Structures taken down and removed.

DEPENDENTS: A member of the family other than the head, spouse, or co-head, who is under 18 years of age or is a person with disabilities or a full-time student. Also, a foster child, a foster adult, or a live-in aide may never be a dependent regardless of age or disability.

DISABILITIES: Also known as "Disabled Family or Disabled Household". Disabled household means a household composed of:

1. One or more persons at least one of whom is an adult (18 years or older) who has a disability;

2. Two or more persons with disabilities living together, or one or more such persons living with another person who is determined by HUD, based upon a certification from an appropriate professional (e.g., a rehabilitation counselor, social worker, or licensed physician) to be important to their care or wellbeing; or

3. The surviving member or members of any household described in paragraph (1) of this definition who were living in a unit assisted under this part with the deceased member of the household at the time of his or her death. [24 CFR 891.305]

DISABILITY EXPENSES: See ADJUSTED GROSS INCOME.

DIVIDENDS: An individual share of something distributed: as 1. A share in a pro rata distribution (as of profits) to stockholders, 2. A share of surplus allocated to a policyholder in a participating insurance policy.

DOMESTIC PRODUCTION ACTIVITIES: Businesses with "qualified production activities" can take a tax deduction of 3% from net income. This is a tax break pure and simple. The more complicated the business, the more complicated the math for calculating the Domestic Production Activities Deduction. In a nutshell, businesses engaged in manufacturing and other qualified production activities will need to implement cost accounting mechanisms to make sure their tax deduction is accurately calculated.

E

EDUCATOR EXPENSES: Expenses incurred by eligible educators for books, supplies, computer equipment, and supplementary materials used in the classroom. See IRS.gov for more details.

ELDERLY FAMILY/HOUSEHOLD: 1. Families of two or more persons, the head of which (or his or her spouse) is 62 years of age or older; 2. The surviving member or members of a family described in paragraph (1) living in a unit assisted under 24 CFR part 891, subpart E (Section 202 loans) with the deceased member of the family at the time of his or her death; 3. A single person who is 62 years of age or older. 4. Two or more elderly persons living together, or one or more such persons living with another person who is determined by HUD, based upon a licensed physician's certificate provided by the family, to be essential to their care or well-being. [24 CFR 891.505].

EMERGENCY SOLUTIONS GRANTS PROGRAM: The HEARTH Act revised the Emergency Shelter Grants Program to create the Emergency Solutions Grants (ESG) Program. The ESG Program provides funding to: (1) improve the number and quality of emergency shelters for homeless individuals and families; (2) help operate these shelters; (3) provide essential social services to shelter residents; and (4) prevent families and individuals from becoming homeless.

EQUITY: The money value of a property or of an interest in a property in excess of claims or liens against it.

ESTATES: the assets and liabilities left by a person at death.

EXCLUSIONS: When determining Annual Income, these are certain types of income and asset sources that are "excluded" from the calculation. Exclusions will depend upon the income definition.

F

FAIR MARKET RENT (FMR): Primarily used to determine payment standard amounts for the Housing Choice Voucher program, to determine initial renewal rents for some expiring project-based Section 8 contracts, to determine initial rents for housing assistance payment contracts in the Moderate Rehabilitation Single Room Occupancy program, and to serves as a rent ceiling in the HOME or HOPWA rental assistance program where the certificate model is used.

FAMILY: One or more persons related by blood, marriage or adoption.

FARM INCOME OR LOSS: Farm income and expenses includes the amounts realized from the sales, and the expenses incurred in the business of farming, including cultivating operating or managing a farm for profit, either as an owner or a tenant. A farm includes livestock, dairy, poultry, fish, fruit and truck farms. It also includes plantations, ranches, ranges and orchards. If your deductible farm expenses are more than your farm income, you have a loss from the operation of your farm. See IRS.gov for more details.

FMR: See FAIR MARKET RENT.

FOSTER ADULT: A foster adult is usually an adult with a disability who is unrelated to the family and who is unable to live alone.

FOSTER CHILD: Children that are in the legal guardianship or custody of a State, county, or private adoption or foster care agency, yet are cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency.

FULLTIME STUDENT: A person who is attending school or vocational training on a full-time basis [24 CFR 5.603].

G

GROSS ANNUAL INCOME: The total income, before taxes and other deductions, received by all members of the tenant's household. There shall be included in this total income all wages, social security payments, retirement benefits, military and veteran's disability payments, unemployment benefits, welfare benefits, interest and dividend payments and such other income items as the Secretary considers appropriate. This is the same term as Annual Income.

H

HEAD OF HOUSEHOLD: The adult member of the family who is the head of the household for purposes of determining income eligibility [24 CFR 5.504].

HEALTH SAVINGS ACCOUNT: An account that allows individuals to pay for current health expenses and save for future qualified medical and retiree health expenses on a tax free basis, with some state exceptions.

HEARTH ACT: The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009. The HEARTH Act amends and reauthorizes the McKinney-Vento Homeless Assistance Act, including the Emergency Solutions Grants Program (ESG).

HOME (HOME INVESTMENT PARTNERSHIPS PROGRAM): Provides formula grants to states and localities that communities use — often in partnership with local nonprofit groups — to fund a wide range of activities that build, buy, and/or rehabilitate affordable housing for rent or homeownership, or to provide direct rental assistance to low-income people.

HOME AFFORDABILITY PERIOD: Affordability refers to the requirements of the HOME Program that relate to the cost of housing both at initial occupancy and over established timeframes, as prescribed in the HOME regulations. Affordability requirements vary depending on the nature of the HOME-assisted activity (i.e., homeownership or rental housing).

HOPWA: See HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS.

HOUSEHOLD: All the people who occupy a housing unit. A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit, or a group of unrelated people sharing a housing unit such as partners or roomers, is also counted as a household.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA): Provides housing assistance and supportive services to low-income people with HIV/AIDS and their families. HOPWA funds may also be used for case management, mental health services, housing information, nutritional services, transportation, substance abuse treatment, employment services, and other supportive services.

HUD METRO FMR AREA: Indicates that only a portion of the OMB-defined core-based statistical area (CBSA) is in the area to which the income limits or FMRs apply. HUD is required by OMB to alter the name of metropolitan geographic entities it derives from the CBSAs when the geography is not the same as that established by OMB.

I

IL: See INCOME LIMIT.

IMPUTED INCOME FROM ASSETS: See Technical Guide for Determining Income and Allowances Under the HOME Program.

INCLUSIONS: When determining Annual Income, these are certain types of income and asset sources that are “included” in the calculation.

INCOME DETERMINATION: Determination of income which includes all amounts, monetary or not, including the full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, compensation for personal services, and more.

INCOME LIMIT: Determines the eligibility of applicants for HUD's assisted housing programs.

INDIVIDUAL RETIREMENT ACCOUNT: A personal savings plan that offers tax advantages to those who set aside money for retirement. Depending on the individual's circumstances, contributions to the IRA may be deductible in

whole or in part. Generally, amounts in an IRA, including earnings and gains, are not taxed until distributed to the individual.

INTEREST: A charge for borrowed money generally a percentage of the amount borrowed or an amount earned as a result of cash held by a lending institution such as in a checking or savings account.

INTERNAL REVENUE SERVICE: The Internal Revenue Service (IRS) is a federal government agency responsible for tax collection and tax law enforcement.

IRA: See INDIVIDUAL RETIREMENT ACCOUNT.

IRS: See INTERNAL REVENUE SERVICE.

IRS 1040 ADJUSTED GROSS INCOME: One of the definitions of Annual Income. Adjusted Gross Income is defined as gross income minus adjustments to income. Refer to the latest federal income tax return.

IRS FORM 1040: Form used under the IRS 1040 Adjusted Gross Income definition.

J

K

L

LIFE INSURANCE: Insurance providing for payment of a stipulated sum to a designated beneficiary upon death of the insured.

LIHTC: See LOW-INCOME HOUSING TAX CREDIT.

LOW-INCOME HOUSING TAX CREDIT (LIHTC): A tax incentive intended to increase the availability of low-income housing. The program provides an income tax credit to owners of newly constructed or substantially rehabilitated low-income rental housing projects.

LOW/MOD – HOUSING: One of the Community Development Block Grant (CDBG) national objectives for housing activities.

LOW/MOD – JOBS: One of the Community Development Block Grant (CDBG) national objectives for job activities.

LOW/MOD - LIMITED CLIENTELE: One of the Community Development Block Grant (CDBG) national objectives for activities serving limited clientele who are low/moderate income persons.

LOW/MOD - LIMITED CLIENTELE - PRESUMED BENEFIT: One of the Community Development Block Grant (CDBG) national objectives for activities serving limited clientele. Examples include senior centers, homeless shelters, etc.

LOW/MOD - AREA BASIS: One of the Community Development Block Grant (CDBG) national objectives for activities serving areas that can be documented as a low/moderate income area.

LUMP SUMS: A complete payment consisting of a single sum of money as opposed to a series of payments.

M

MA: See METROPOLITAN AREA.

MEDICAL EXPENSES: See ADJUSTED GROSS INCOME.

MEMBER ID: The CPD Income Eligibility Calculator asks for "Member IDs" instead of "First Names" to help protect the privacy of applicants to CPD programs. Each Member ID you enter should be unique to an individual within the family or household associated with this Beneficiary ID. Printouts from the Calculator for all programs except HOPWA will include the Member IDs entered here along with a blank space in which the First Name of the associated individual can be written or otherwise inserted. DO NOT use any personal information to create Member ID(s), including but not limited to names, social security numbers, or addresses.

METROPOLITAN AREA (MA): A large population nucleus, together with adjacent communities that has a high degree of economic and social integration with that nucleus.

METROPOLITAN STATISTICAL AREA (MSA): An area with at least one urbanized area of 50,000 or more population, plus adjacent territory that has a high degree of social and economic integration with the core, as measured by commuting ties.

MODERATE INCOME: Households whose incomes are between 81 percent and 95 percent of the median income for the area, as determined by HUD, with adjustments for smaller or larger families. HUD may establish income ceilings higher or lower than 95 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs, fair market rents, or unusually high or low family incomes.

MOVING EXPENSES: Expenses due to a change in job or business location, or starting a new job or business. See IRS.gov for more details.

MSA: See METROPOLITAN STATISTICAL AREA.

N

NEIGHBORHOOD STABILIZATION PROGRAM (NSP): Provides emergency assistance to state and local governments to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities. The Neighborhood Stabilization Program (NSP) provides grants to every state and certain local communities to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes. The program is authorized under Title III of the Housing and Economic Recovery Act of 2008.

NET CASH VALUE OF ASSETS: Total cash value of all assets used in calculating Annual Income.

NET RENTAL INCOME: The remaining income from rent after all expenses have been deducted.

O

ORDINARY DIVIDENDS: Ordinary dividends are a result of the trust or estates' investment in a corporation and are paid out of the earnings and profits of the corporation.

OTHER INCOME: This section of Annual Income in the Calculator allows for input of any other income source not previously included in the other income categories.

OVERTIME: Time in excess of a set limit; working time in excess of a standard day or week.

P

PART 5 ANNUAL INCOME: Also known as HUD 24 CFR Part 5. One of the definitions of Annual Income. Part 5 definition of annual income is the gross amount of income of all adult household members that is anticipated to be received during the coming 12-month period. The rules concerning Section 8 annual income were previously found at 24 CFR Part 813. However, Part 813 was removed from the Federal regulations on October 18, 1996. At the same time, 24 CFR Part 5 was published. Subpart F of Part 5 consolidated the requirements pertaining to income for many of HUD's programs, including Section 8.

PARTICIPATING JURISDICTION (PJ): The term given to any state, local government, or consortium of local governments that HUD has designated to administer a HOME Program. HUD designation as a PJ occurs if a state, local government, or consortium meets the funding thresholds, notifies HUD that it intends to participate in the program, and obtains approval by HUD of a Consolidated Plan.

PARTNERSHIPS: Arrangement where parties agree to cooperate to advance their mutual interests.

PASSBOOK RATE: Interest rate on savings account established periodically by HUD. The Passbook Savings Rate is used to calculate the minimum amount of income from your assets. Either that amount or the amount of income you report for those assets (whichever is greater) are added to your other unearned income and your earned income to calculate your gross non-excluded income.

PENALTY ON EARLY WITHDRAWAL ON SAVINGS: Penalty incurred if you withdraw money from a certificate of deposit or other time-deposit savings account prior to your certificate maturing. The penalty is charged by the bank and withheld directly from your proceeds from the certificate.

PENSION FUNDS: See PENSIONS.

PENSIONS: A fixed sum paid under given conditions to a person following retirement from service or to surviving dependents.

PERSONAL PROPERTY: Property other than real property consisting of things temporary or movable.

PJ: See PARTICIPATING JURISDICTION.

PUBLIC ASSISTANCE: Government aid to needy, aged, or disabled persons and to dependent children.

PUBLIC FACILITY: Infrastructure and facilities necessary to support the services and functions provided by the government or public utility companies. These can include Neighborhood facilities including, but not limited to public schools, libraries, recreational facilities, parks, playgrounds; and facilities for persons with special needs such as facilities for the homeless or domestic violence shelters, nursing homes, or group homes for the disabled.

Q

R

RAISES: An increase in wages or salary.

RECERTIFICATION OF ANNUAL INCOME BY GOVERNMENT PROGRAMS FORM: The Recertification of Annual Income by Government Programs is a written statement from the administrator of another government program under which the beneficiary receives benefits, and that examines the annual (gross) income of the beneficiary each year.

REHABILITATION: The labor, materials, tools, and other costs of improving buildings, other than minor or routine repairs. The term includes where the use of a building is changed to an emergency shelter and the cost of this change and any rehabilitation costs does not exceed 75 percent of the value of the building before the change in use.

RETIREMENT ACCOUNTS: A plan for setting aside money to be spent after retirement. Examples include Individual retirement accounts, 401(k), SIMPLE IRAs, and Multiple retirement accounts.

ROYALTY INCOME: Payment related to the use of a valuable right. This includes payments for the use of trademarks, trade names, service marks or copyrights, whether or not payment is based on the use made of such property, are ordinarily classified as royalties for federal tax purposes. See IRS.gov for more details.

S

SALARY: Fixed compensation paid regularly for services.

S CORPORATIONS: S corporations are corporations that elect to pass corporate income, losses, deductions and credit through to their shareholders for federal tax purposes. Shareholders of S corporations report the flow-through of income and losses on their personal tax returns and are assessed tax at their individual income tax rates. This allows S corporations to avoid double taxation on the corporate income. S corporations are responsible for tax on certain built-in gains and passive income. See IRS.gov for more details.

SECTION 108 LOAN GURANTEE PROGRAM: Section 108 is the loan guarantee provision of the Community Development Block Grant (CDBG) Program. Section 108 provides communities with a source of financing for economic development, housing rehabilitation, public facilities, and large-scale physical development projects.

SECTION 8 RENTAL CERTIFICATE MODEL (FIXED TENANT PAYMENT): The rental assistance model that assumes a fixed tenant payment—the tenant's share of housing costs (Total Tenant Payment [TTP]) is calculated by formula.

The public housing agency (PHA) then pays the difference between the tenant's share and the approved rent for the unit.

SECTION 8 RENTAL VOUCHER MODEL (FIXED PJ PAYMENT): The rental assistance model that assumes a fixed PHA payment—the maximum PHA subsidy is calculated and the tenant pays the difference between the PHA subsidy and the approved rent for the unit.

SELF-CERTIFICATION OF ANNUAL INCOME BY BENEFICIARY FORM: The Self Certification of Annual Income by Beneficiary is a written statement from the beneficiary documenting the definition used to determine Annual (Gross) Income, the number of beneficiary members in the family or household (as applicable based on the activity), and the relevant characteristics of each member for the purposes of income determination.

SELF-EMPLOYMENT: The IRS defines self-employed people who are required to file self-employment Social Security taxes as a sole proprietor that conducts a trade or business; an independent contractor; member of a partnership; or if you are otherwise in business for yourself.

SELF-HELP HOMEOWNERSHIP OPPORTUNITY PROGRAM (SHOP): SHOP awards grant funds to eligible national and regional non-profit organizations and consortia to purchase home sites and develop or improve the infrastructure needed to set the stage for sweat equity and volunteer-based homeownership programs for low-income persons and families.

SHOP: See SELF-HELP HOMEOWNERSHIP OPPORTUNITY PROGRAM.

SLUM/BLIGHT – AREA BASIS: One of the Community Development Block Grant (CDBG) national objectives to indicate an area meets the definition of slum/blight under the regulations.

SLUM/BLIGHT – SPOT BASIS: One of the Community Development Block Grant (CDBG) national objectives to indicate a building meets the definition of slum/blight under the regulations.

SLUM/BLIGHT – URBAN RENEWAL: One of the Community Development Block Grant (CDBG) national objectives, but used rarely as there are few urban renewal areas.

SOCIAL SECURITY BENEFITS: The comprehensive federal program of benefits providing workers and their dependents with retirement income, disability income, and other payments. The Social security tax is used to pay for the program.

SOURCE DOCUMENTATION: Original documentation that demonstrates an income or asset source. Examples include wage statements (i.e., pay stubs), Social Security letters, etc.

STOCKS: The proprietorship element in a corporation usually divided into shares and represented by transferable certificates.

STUDENT LOAN INTEREST: Interest paid on a qualified student loan. See IRS.gov for more details.

SUPPLEMENTAL SECURITY INCOME (SSI): See SOCIAL SECURITY BENEFITS.

T

TANF: See TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

TAXABLE INTEREST: Most interest that you either receive or is credited to your account and that can be withdrawn without penalty is taxable income. Examples of taxable interest are interest on bank accounts, money market

accounts, certificates of deposit, and deposited insurance dividends. Interest on insurance dividends left on deposit with the Department of Veterans Affairs, however, is not taxable. See IRS.gov for more details.

TBRA: See TENANT-BASED RENTAL ASSISTANCE.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF): Under the welfare reform legislation of 1996, (the Personal Responsibility and Work Opportunity Reconciliation Act – PWRORA – Public Law 104-193), TANF replaced the welfare programs known as Aid to Families with Dependent Children (AFDC), the Job Opportunities and Basic Skills Training (JOBS) program and the Emergency Assistance (EA) program. The law ended federal entitlement to assistance and instead created TANF as a block grant that provides States, territories and tribes federal funds each year. These funds cover benefits, administrative expenses, and services targeted to needy families. TANF became effective July 1, 1997, and was reauthorized in February 2006 under the Deficit Reduction Act of 2005.

TENANT-BASED RENTAL ASSISTANCE (TBRA): HUD assists low- and very low-income families in obtaining decent, safe, and sanitary housing in private accommodations by making up the difference between what they can afford and the approved rent for an adequate housing unit. This is also known as either rental assistance or tenant payments.

TIPS: A gift or a sum of money tendered for a service performed or anticipated: gratuity.

TRUSTS: A property interest held by one person for the benefit of another.

TUITION: The price of or payment for instruction.

U

UNEMPLOYMENT COMPENSATION: Money that substitutes for wages or salary, paid to recently unemployed workers under a government- or union-run program.

URGENT NEED: One of the Community Development Block Grant (CDBG) national objectives, but used rarely under the program.

U.S. CENSUS BUREAU: Serves as the leading source of quality data about our nation's people and economy.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD): Established in 1965, HUD's mission is to increase homeownership, support community development, and increase access to affordable housing free from discrimination. To fulfill this mission, HUD will embrace high standards of ethics, management and accountability and forge new partnerships — particularly with faith-based and community organizations — that leverage resources and improve HUD's ability to be effective on the community level.

UTILITY ALLOWANCE: PHA or administrator’s estimate of the average monthly utility bills (except telephone) for an energy-conscious household. This estimate considers only utilities paid directly by the tenant. If all utilities are included in the rent, there is not a utility allowance. Utility allowances vary by unit type and are listed on the project’s rent schedule or HAP contract.

V

VETERANS (VA) PAYMENTS: Monetary payment or the furnishing of goods or services having a monetary value to or for an eligible veteran, veteran's dependent, or veteran's survivor.

VERY LOW-INCOME: Households whose incomes do not exceed 50 percent of the median area income for the area, as determined by HUD, with adjustments for smaller and larger families and for areas with unusually high or low incomes or where needed because of facility, college, or other training facility; prevailing levels of construction costs; or fair market rents.

W

WAGES: Payment usually of money for labor or services usually according to contract and on an hourly, daily, or piecework basis.

WELFARE: See TANF.

X

Y

Z

Section 4: Income Determination Resources

Several resources are available to assist in income determination.

4.1 REGULATORY CITATIONS

4.1.1 CDBG Regulations

- 570.3 – Income Definition
- 570.208 – Entitlements – Low Income Targeting
- 570.483 – States – Low Income Targeting
- 570.506 – Income Documentation

4.1.2 HOME Regulations

- 24 CFR 92.2 – Definitions
- 24 CFR 92.203 – Income Determinations and Adjusted Income
- 24 CFR 92.209 – TBRA Eligible Costs and Requirements
- 24 CFR 92.216 – Income Targeting: TBRA and Rental Housing Units
- 24 CFR 92.217 – Income Targeting: Homeownership
- 24 CFR 92.252 – Qualification as Affordable Housing: Rental Housing
- 24 CFR 92.254 – Qualification as Affordable Housing: Homeownership Housing

4.1.3 HOPWA Regulations

- 574.3 – Eligible Persons D
- 5.603 – Annual Income Definition
- 5.609 – Annual Income
- 5.611 – Adjusted Income
- 5.617 – Self-sufficiency incentives for persons with disabilities—Disallowance of increase in annual income

4.1.4 NSP Regulations

- See CDBG regulations.

4.1.5 ESG Regulations

- 576.2 – Definitions
- 576.401(b) – Re-evaluation Requirements
- 5.609 – Annual Income

4.2 TECHNICAL GUIDANCE

4.2.1 CDBG Technical Guidance

Guide to National Objectives and Eligible Activities for Entitlement Communities

This guide provides explanations on national objectives and eligible activities for Entitlement Communities. View the Guide to National Objectives and Eligible Activities for Entitlement Communities.

Guide to National Objectives and Eligible Activities for State CDBG Programs

This guide provides explanations on national objectives and eligible activities for State CDBG Programs. View the Guide to National Objectives and Eligible Activities for State CDBG Programs.

4.2.2 HOME Technical Guidance

Technical Guide for Determining Income and Allowances for the HOME Program

This self-study guide provides explanations of each of the three definitions of income and a glossary of terms, and describes what sources of income must be included or excluded when conducting income verification. In addition to a description of these basic requirements, the guide provides exercises and case studies to enable readers to test their understanding of the key concepts. View the Technical Guide for Determining Income and Allowances for the HOME Program.

4.2.3 NSP Technical Guidance

Guide to Completing NSP Income Certifications

This guide is intended for grantees and their partners seeking guidance on calculating annual gross income for the purposes of NSP eligibility determination. Before approving client applications for NSP rental or homeownership assistance, grantees and their partners must determine whether annual gross income is at or below NSP income limits. While there are a range of acceptable methods for collecting and certifying income data, this guide focuses on the methods used in HUD's HOME Investment Partnership Program. An income calculation worksheet, formatted in Excel, is embedded at the end of this document. View the Guide to Completing NSP Income Certifications.

4.3 FORMS

4.3.1 IRS Forms

Visit the IRS website to see the 1040 form and other information about the IRS 1040.

4.3.2 American Community Survey Forms

Visit the Census website to see the survey form and other information about the American Community Survey (ACS).

4.3.3 HOME Forms

The following forms are available to HOME participating jurisdictions (PJs); however other grantees may find these resources helpful and could adapt to other programs.

Program Eligibility Release Form

This form gives authorization for the named organization to obtain information from a third party relative to his/her eligibility in a HOME TBRA, homebuyer, rental rehabilitation, or homeowner rehabilitation program. It may also be used to determine continued eligibility or rent charged in a HOME TBRA program or HOME-assisted rental housing.

- View Program Eligibility Release Form in PDF
- View Program Eligibility Release Form in Word

Recertification of Annual Income by Government Programs

This form is used to certify the amount of funding a household receives through a government program. A government administrator completes this form for the PJ to use when recertifying the income of rental housing tenants.

- View Recertification of Annual Income by Government Programs in PDF
- View Recertification of Annual Income by Government Programs in Word

Recertification of Annual Income by Tenant Family

This form is completed by the tenant family to certify the household size and annual income. The tenant family returns this form to the PJ for use when recertifying the income of rental housing tenants.

- View Recertification of Annual Income by Tenant Family in PDF
- View Recertification of Annual Income by Tenant Family in Word

Sample Format for Calculating Adjusted Income

This form provides a format that can be used to calculate adjusted income for HOME Program purposes.

- View Sample Format for Calculating Adjusted Income in PDF
- View Sample Format for Calculating Adjusted Income in Word

Sample Format for Calculating Part 5 Annual Income

This form provides a format that can be used to assess assets and anticipated income and calculate Part 5 annual income.

- View Sample Format for Calculating Part 5 Annual Income in PDF
- View Sample Format for Calculating Part 5 Annual Income in Word

Sample Format for Computing IRS Form 1040 Series Adjusted Gross Income

This form provides a format that can be used to compute the IRS Form 1040 series adjusted gross income.

- View Sample Format for Computing IRS Form 1040 Series Adjusted Gross Income in PDF
- View Sample Format for Computing IRS Form 1040 Series Adjusted Gross Income in Word

Sample Format for Computing Total Tenant Payment and PJ Subsidy: Rental Certificate Model

This form provides a format that can be used to compute the total payment and PJ subsidy for a rental certificate model. This form is used with the Sample Format for Calculating Part 5 Adjusted Income.

- View Sample Format for Computing Total Tenant Payment and PJ Subsidy: Rental Certificate Model in PDF
- View Sample Format for Computing Total Tenant Payment and PJ Subsidy: Rental Certificate Model in Word

Sample Format for Computing Total Tenant Payment and PJ Subsidy: Rental Voucher Model

This form provides a format that can be used to compute the total payment and PJ subsidy for a rental voucher model. This form is used with the Sample Format for Calculating Part 5 Adjusted Income.

- View Sample Format for Computing Total Tenant Payment and PJ Subsidy: Rental Voucher Model in PDF
- View Sample Format for Computing Total Tenant Payment and PJ Subsidy: Rental Voucher Model in Word

Verification of Alimony and Separation

This form gives authorization for the HOME PJ to verify alimony and separation payments made to all members of the household applying for participation in the HOME Program.

- View Verification of Alimony and Separation in PDF
- View Verification of Alimony and Separation in Word

Verification of Assets on Deposit

This form gives authorization for the HOME PJ to verify assets on deposit for all members of the household applying for participation in the HOME Program.

- View Verification of Assets on Deposit in PDF
- View Verification of Assets on Deposit in Word

Verification of Child Support Payments

This form gives authorization for the HOME PJ to verify child support payments made to all members of the household applying for participation in the HOME Program on all or none.

- View Verification of Child Support Payments in PDF
- View Verification of Child Support Payments in Word

Verification of Employment

This form gives authorization for the HOME PJ to verify employment income of all the members of the household applying for participation in the HOME Program.

- View in Verification of Employment in PDF
- View in Verification of Employment in Word

Verification of Income from Military

This form gives authorization for the HOME PJ to verify military service income of all the members of the household applying for participation in the HOME Program.

- View Verification of Income from Military in PDF
- View Verification of Income from Military in Word

Verification of Income from Business

This form gives authorization for the HOME PJ to verify business income of all the members of the household applying for participation in the HOME Program.

- View Verification of Income from Business in PDF
- View Verification of Income from Business in Word

Verification of Pensions and Annuities

This form gives authorization for the HOME PJ to verify pension and annuity income of all the members of the household applying for participation in the HOME Program.

- View Verification of Pensions and Annuities in PDF
- View Verification of Pensions and Annuities in Word

Verification of Public Assistance Program

This form gives authorization for the HOME PJ to verify public assistance income for all the members of the household applying for participation in the HOME Program.

- View Verification of Public Assistance Program in PDF
- View Verification of Public Assistance Program in Word

Verification of Recurring Cash Contributions

This form gives authorization for the HOME PJ to verify recurring cash contributions made to all members of the household applying for participation in the HOME Program.

- View Verification of Recurring Cash Contributions in PDF
- View Verification of Recurring Cash Contributions in Word

Verification of Social Security Benefits

This form gives authorization for the HOME PJ to verify Social Security benefit income for all the members of the household applying for participation in the HOME Program.

- View Verification of Social Security Benefits in PDF
- View Verification of Social Security Benefits in Word

Verification of Unemployment Benefits

This form gives authorization for the HOME PJ to verify information about unemployment benefits income for all members of the household applying for participation in the HOME Program.

- View Verification of Unemployment Benefits in PDF
- View Verification of Unemployment Benefits in Word

Verification of Veterans Administrative Benefits

This form gives authorization for the HOME PJ to verify Veterans Administrative Benefits income for all the members of the household applying for participation in the HOME Program.

- View Verification of Veterans Administrative Benefits in PDF
- View Verification of Veterans Administrative Benefits in Word

4.3.4 HOPWA Forms

Income Eligibility Calculation Worksheet

To be eligible for assistance under the HOPWA program, individuals must be at or below 80 percent of area median income (AMI). Project sponsors can use this worksheet to calculate household income and determine eligibility for assistance.

- Download Income Eligibility Calculation Worksheet (Excel)
- View Income Eligibility Calculation Worksheet (PDF)

Income & Resident Rent Calculation Worksheet

With the exception of persons in short-term supported housing, persons receiving rental assistance under the HOPWA program must pay rent. According to the HOPWA regulations, tenants must pay the higher of: (1) 30 percent of the family's monthly adjusted income; (2) 10 percent of the family's monthly gross income; or (3) The portion of any welfare assistance payments specifically designated for housing costs. This worksheet can be used by HOPWA project sponsors to determine the Resident Rent Payment.

- Download Income & Resident Rent Calculation Worksheet (Excel)
- View Income & Resident Rent Calculation Worksheet (PDF)

Accepted Forms of Income Verification

HOPWA program regulations require verification of all income from participant households. This tool provides examples of acceptable forms of income documentation.

- Download Accepted Forms of Income Verification (PDF)
- View Accepted Forms of Income Verification (HTML)

Disallowance of Increase in Annual Income (Earned Income Disregard)

In February 2001, HUD finalized regulations that require housing providers in certain HUD programs to disregard some or all of the earned income for tenants with disabilities. The Earned Income Disregard, as it is commonly called, allows qualified individuals and families receiving housing assistance to keep more of their earned income for a period of up to two years following an increase in employment income. This resource provides guidance on implementing the Earned Income Disregard for the purpose of calculating client income and resident rent payment.

- View Disallowance of Increase in Annual Income (Earned Income Disregard) (HTML)

Zero-Income Affidavit

HOPWA program regulations require verification of all income from participating households. This form can be used as documentation when a household has no income.

- View Zero-Income Affidavit (HTML)

EXHIBIT IV-C

City of Boulder Policies

**

ANNUAL INCOME DEFINITION AND VERIFICATION POLICY

PURPOSE

The City of Boulder supports the creation and preservation of permanently affordable rental housing units that serves extremely low, very low, low and moderate income households within the City of Boulder.

The Program focuses its efforts at the lower end of the income spectrum, targeting the following populations:

- Households that live or work in Boulder;
- Households with children;
- Households with working members who earn a low or moderate wage;
- Non-student Households; and
- Special population groups including: physically disabled, chronically mentally ill, and frail elderly.

The City of Boulder Income Verification Policy is intended to ensure that city supported permanently affordable rental housing opportunities benefit those most in need with limited income and access to financial resources. A city supported permanently affordable rental housing unit is defined as a unit created or preserved using City of Boulder subsidy(ies), resulting from City of Boulder regulatory requirements (e. g., annexation, Inclusionary Housing), and/or maintains any city restrictions. The Income Verification policy is based on the U.S. Department of Housing and Urban Development practices of income verification as stated in 24 CFR 5.609 and the Colorado Housing and Finance Authority Low Income Housing Tax Credit Program Compliance Manual (2015) and includes modifications reflecting local priorities.

POLICY

City supported permanently affordable rental housing opportunities have specific income limit requirements based on the Area Median Income that define eligible occupants. These requirements are identified in executed funding agreements and low income rental housing covenants specific to each project supported through city participation. This policy defines income.

ANNUAL INCOME DEFINITION

Annual income means all amounts, anticipated to be received during the next 12-month period by all members of the household eighteen years of age and older. Annual income includes amounts derived from assets to which any member of the household has access.

Exclusions:

Student financial aid or loans, income from the employment of children under age of 18, payments for the care of foster children or foster adults, and amounts received specifically for the reimbursement of medical expenses for a member of the household are not considered income.

Gifts or Contributions:

Owners must count as income any regular contributions and gifts received by applicant(s) from other persons not living in the unit. These sources may include rent and utility payments paid on behalf of the applicant(s), and other cash or noncash contributions provided on a regular basis. Temporary, nonrecurring, or sporadic income (including gifts) is not counted as income. Verification of income from gifts is required

and may include: Verification of Household Assistance or an affidavit signed by the person or organization providing the gift, stating the frequency and value of the gift; or a verification letter from a bank, attorney, or a trustee administering the gift.

Assets:
Annual income includes amounts derived from assets to which household members have access. The Asset Policy defines an asset as cash or non-cash items that can be readily converted to cash, including real property, retirement accounts, pension funds, life insurance payout, taxable interest, checking, savings, stocks, bonds, and other forms of capital investment. Assets excluded from assessment include cars, personal belongings, and personal life insurance policies. Please see Exhibit A for a list of asset inclusions and exclusions. Note that when assets are included in the calculation of annual income, it is the imputed income earned from the asset, not the value of the asset that is counted.

If an applicant has any ownership interest in a residential property in which they could legally reside they are deemed ineligible from occupying a permanently affordable rental housing unit under Covenant with the city or participating in the city's rental housing programs.

Asset Limits:
Applicants that have liquid assets that are worth more than one and one-half times their annual combined household income or $15,000, whichever is less, are not eligible to occupy a permanently affordable rental housing unit or participate in the city's rental housing program. ***Liquid Assets*** is defined as cash on hand or any asset that can be readily converted to cash.

DETERMINING ANNUAL INCOME

Third-Party Income Certification:
Property Managers/Owners must verify the combined household income prior to the date of ***initial*** occupancy to determine eligibility and every third year thereafter.

- The verifiable income of all household members 18 years of age and older must be included.
- The determination must be based on income that is anticipated in the next twelve months.
- The owner/manager must examine income ***source documents*** to verify the accuracy of the income information reported on the application.

Acceptable third party source documentation includes:

- Wage statements for the preceding 60 days
- Unemployment compensation statements
- Third party verifications from employers
- Verification of Assets
- Verification of Social Security
- Verification of Public Assistance

Recertification of Income:
After initial occupancy for intervening years, owner/managers may use an alternative recertification process as outlined below:

- ***Tenant Written Statement & Certification***:
  The rental property owner/manager obtains a written statement from the tenant. The statement must:

1. Specifies household size and anticipated annual income, and
2. Certifies that the information is complete and accurate; acknowledging that source documentation is available upon request.

- ***Government Program Written Statement:***
  The Owner/Manager obtains a written statement from the administrator of a government program under which the tenant receives benefits, and who examines the annual gross income of the tenant's household each year. The statement must:

  1. Indicates the household size;
  2. Specify the current income limit for the program
  3. Verify that the household income does not exceed that limit; and
  4. Acknowledge that the household income is examined each year

Example:
1st Year Initial Occupancy – third party income verification
2nd Year – alternative recertification process
3rd Year – third party income verification
4th Year – alternative recertification process

MAXIMUM INCOME

At the time of initial occupancy, the combined household income may not exceed the Area Median Income Limit for each permanently affordable rental housing unit as outlined in the executed Funding Agreement and Low Income Rental Housing Covenant recorded on the property. A person or household whose income increases above the Area Median Income Limit as outlined above may be allowed to renew their lease for occupancy, provided that the combined household income does not exceed 140% of 60% of the Area Median Income (AMI).

A household whose income exceeds 140% of 60% AMI is no longer determined to be a low income household and no longer eligible to occupy the permanently affordable rental housing unit.

INTERPRETATION AND APPLICATION

Questions regarding the interpretation and application of this policy should be directed to the Community Investment Program Manager.

This policy supersedes all previous policies covering the same or similar topics. Any exceptions to this policy may only be granted by the Deputy Director of Housing or the City Manager. This policy may be reviewed and changed at any time.

EXHIBIT A

ASSET INCLUSIONS & EXCLUSIONS

Inclusions:	**Exclusions:**
1. Cash held in savings accounts, checking accounts, safe deposit boxes, homes, etc. For savings accounts, use the current balance. For checking accounts, use the average 6-month balance. Assets held in foreign countries are considered assets. 2. Cash value of revocable trusts available to the applicant. 3. Equity in rental property or other capital investments. Equity is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and all reasonable costs (e.g., broker fees) that would be incurred in selling the asset. Under HOME, equity in the family's primary residence is not considered in the calculation of assets for owner-occupied rehabilitation projects. 4. Cash value of stocks, bonds, Treasury bills, certificates of deposit, mutual funds, and money market accounts. 5. Individual retirement, 401(K), and Keogh accounts (even though withdrawal would result in a penalty). 6. Retirement and pension funds. 7. Cash value of life insurance policies available to the individual before death (e.g., surrender value of a whole life or universal life policy). 8. Personal property held as an investment such as gems, jewelry, coin collections, antique cars, etc. 9. Lump sum or one-time receipts, such as inheritances, capital gains, lottery winnings, victim's restitution, insurance settlements and other amounts not intended as periodic payments. 10. Mortgages or deeds of trust held by an applicant.	1. Necessary personal property, except as noted in number 8 of Inclusions, such as clothing, furniture, cars, and vehicles specially equipped for persons with disabilities. 2. Interest in Indian trust lands. 3. Assets not effectively owned by the applicant. That is, when assets are held in an individual's name, but the assets and any income they earn accrue to the benefit of someone else who is not a member of the household and that other person is responsible for income taxes incurred on income generated by the asset. 4. Equity in cooperatives in which the family lives. 5. Assets not accessible to and that provide no income for the applicant.

EXHIBIT IV-D

Sample Forms of Income Verification

- Verification of Employment – Exhibit E.1
- Verification of Public Assistance – Exhibit E.2
- Verification of Social Security/SSI Benefits – Exhibit E.3
- Verification of Child Support – Exhibit E.4
- Verification of Unemployment Benefits – Exhibit E.5
- Self Employment Affidavit – Exhibit E.6
- Zero Income Certification – Exhibit E.7

EXHIBIT IV-D.1

EMPLOYMENT VERIFICATION

THIS SECTION TO BE COMPLETED BY MANAGEMENT AND EXECUTED BY TENANT

TO: (Name and address of employer) Date: _____

_____

_____

RE: _____ _____ _____
Applicant/Tenant Name Social Security Number Unit No. (if assigned)

I hereby authorize release of my employment information.

_____ _____
Signature of Applicant/Tenant Date

The individual named directly above is an applicant/tenant of a housing program that requires verification of income. The information provided will remain confidential to satisfaction of that stated purpose only. Your prompt response is crucial and greatly appreciated.

Sincerely

_____
Project Owner/Management Agent

Return Form To:

THIS SECTION TO BE COMPLETED BY EMPLOYER

Employee Name: _____ Job Title: _____

Presently Employed: Yes ____ Date First Employed _____ No ____ Last Day of Employment _____

Current Wages/Salary: $_____ (circle one) hourly weekly bi-weekly semi-monthly monthly yearly other_

Average # of regular hours per week: _Year-to-date earnings: $_____ through /____/____

Overtime Rate: $_____ per hour Average # of overtime hours per week: _____

Shift Differential Rate: $_____ per hour Average # of shift differential hours per week: _____

Commissions, bonuses, tips, other: $_____ (circle one) hourly weekly bi-weekly semi-monthly monthly yearly other_

List any anticipated change in the employee's rate of pay within the next 12 months: _____

If the employee's work is seasonal or sporadic, please indicate the layoff period(s): _____

_____ _____ _____
Employer's Signature Employer's Printed Name Date

_____
Employer [Company] Name and Address

_____ _____ _____
Phone Fax E-mail

WARNING: **Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful, false statements of misrepresentation to any department or agency of the U.S. or to any matter within its jurisdiction.**

EXHIBIT IV-D.2

VERIFICATION OF PUBLIC ASSISTANCE

THIS SECTION TO BE COMPLETED BY MANAGEMENT AND EXECUTED BY TENANT

Applicant/Resident: _____ Social Security No.: _____
Unit No.: _____

By signing below I authorize the release of this information.

_____ _____
Participant's Signature Date

The individual named directly above is an applicant/tenant of a housing program that requires verification of income. The information provided will remain confidential to satisfaction of that purpose only. Your prompt response is crucial and greatly appreciated.

_____
Project Owner/Management Agent

Return Form To:

THIS SECTION TO BE COMPLETED BY AGENCY

Benefits:		**Date Began**	**Date Ended**
Amount of assistance received monthly:	$_____	_____	_____
Amount of child support received monthly:	$_____	_____	_____
Other income in household (list):_____	$_____	_____	_____

Names of household members: _____ _____
_____ _____
_____ _____

Address of participant: _____

I certify that this information is accurate.

_____ _____
Signature Name (print)

_____ _____
Title Date

_____ _____
Agency Telephone Number

_____
Address City State Zip

WARNING: Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful, false statements of misrepresentation to any department or agency of the U.S. or to any matter within its jurisdiction.

EXHIBIT IV-D.3

VERIFICATION OF SOCIAL SECURITY BENEFITS

THIS SECTION TO BE COMPLETED BY MANAGEMENT AND EXECUTED BY TENANT

TO: (Name and address of employer) Date: _____

_____

_____

_____

RE: _____ _____ _____
Applicant/Tenant Name Social Security Number Unit No. (if assigned)

I hereby authorize release of my employment information.

_____ _____
Signature of Applicant/Tenant Date

The individual named directly above is an applicant/tenant of a housing program that requires verification of income. The information provided will remain confidential to satisfaction of that stated purpose only. Your prompt response is crucial and greatly appreciated.

Sincerely

_____
Project Owner/Management Agent

Return Form To:

THIS SECTION TO BE COMPLETED BY AGENCY

AUTHORIZATION: Federal Regulations require us to verify social security benefits for all members of the household applying for participation in the Affordable Housing Program which we operate and to reexamine this income periodically. We ask your cooperation in supplying this information. This information will be used only to determine the eligibility status and level of benefit of the household.

Gross Monthly Social Security Benefit Amount/Type of Benefit:_____

Gross Monthly Supplemental Security Income Payment Amount:_____

The person referenced above is a participant in a low income { } program. { } requires that we verify the disability of program participants if they so request. Please complete all the information below. Thank you for your assistance.

_____ _____ _____
Authorized Representative Representative Signature Date

_____
Agency Address

_____ _____ _____
Phone Fax E-mail

WARNING: **Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful, false statements of misrepresentation to any department or agency of the U.S. or to any matter within its jurisdiction.**

EXHIBIT IV-D.4

VERIFICATION OF CHILD SUPPORT PAYMENTS

THIS SECTION TO BE COMPLETED BY MANAGEMENT AND EXECUTED BY TENANT

TO: (Name and address of payee) Date: _____

_____

_____

_____

RE: _____ _____ _____
Applicant/Tenant Name Social Security Number Unit No. (if assigned)

I hereby authorize release of my employment information.

_____ _____
Signature of Applicant/Tenant Date

The individual named directly above is an applicant/tenant of a housing program that requires verification of income. The information provided will remain confidential to satisfaction of that stated purpose only. Your prompt response is crucial and greatly appreciated.

Sincerely

_____
Project Owner/Management Agent

Return Form To:

THIS SECTION TO BE COMPLETED BY AGENCY

Name of Person Paying Child Support:_____

Address: _____

Support is for his/her children. Name(s) of children being supported listed below:

_____ _____

_____ _____

_____ _____

Amount of Support:_____ ( ) Week ( ) Month ( ) Year

_____ Date: _____
Signature of Payee

WARNING: **Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful, false statements of misrepresentation to any department or agency of the U.S. or to any matter within its jurisdiction.**

EXHIBIT IV-D.5

VERIFICATION OF UNEMPLOYMENT BENEFITS

THIS SECTION TO BE COMPLETED BY MANAGEMENT AND EXECUTED BY TENANT

TO: (Name and address of agency) Date: _____

_____

_____

_____

_____

RE: _____ _____ _____

Applicant/Tenant Name Social Security Number Unit No. (if assigned)

I hereby authorize release of my employment information.

_____ _____

Signature of Applicant/Tenant Date

The individual named directly above is an applicant/tenant of a housing program that requires verification of income. The information provided will remain confidential to satisfaction of that stated purpose only. Your prompt response is crucial and greatly appreciated.

Sincerely

_____

Project Owner/Management Agent

Return Form To:

THIS SECTION TO BE COMPLETED BY AGENCY

AUTHORIZATION: Federal Regulations require us to verify Unemployment benefits for all members of the household applying for participation in the Affordable Housing Program which we operate and to reexamine this income periodically. We ask your cooperation in supplying this information. This information will be used only to determine the eligibility status and level of benefit of the household.

1. Are Unemployment Benefits being paid now? ( ) Yes ( ) No
2. If yes, what is the Gross Weekly Payment? $_____
3. Date of Initial Payment _____
4. Duration of Benefits _____ weeks
5. Is claimant eligible for future benefits? ( ) Yes ( ) No
6. If yes, how many weeks? _____ weeks
7. If no, what is the termination date of benefits? _____

_____ _____ _____

Authorized Representative Representative Signature Date

WARNING: **Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful, false statements of misrepresentation to any department or agency of the U.S. or to any matter within its jurisdiction.**

EXHIBIT IV-D.6

AFFIDAVIT IN VERIFICATION OF SELF-EMPLOYMENT

Applicant Name_____

Address:_____ being first duly sworn deposes and says that he/she is self-employed, said occupation being _____.

The applicant place of business is located at _____.

I sign the declaration under penalty of perjury and with full knowledge of the repercussions of willful falsification and false swearing under Colorado law.

STATEMENT OF INCOME FROM BUSINESS

Instructions:

1. Opposite GROSS INCOME insert total amount earned during the past 12 months or shorter period.

2. Add all expenses incurred in the performance of this business and subtract the total of these EXPENSES from the gross income.

3. Insert the result in the space NET INCOME.

A. GROSS INCOME: $_____ period covered by GROSS income shown:
Beginning date: _____ Ending date: _____

B. EXPENSES:

1.	Cost of good and material	$_____
2.	Rent (business location only)	$_____
3.	Heat, light, water, phone, etc. (business only)	$_____
4.	License fees	$_____
5.	Other (specify)	$_____
6.	Number of Employees _____	
7.	Employees' salaries (other than self and family)	$_____
8.	Owner's salary (self and family)	$_____

C.

GROSS INCOME		$_____
TOTAL EXPENSES	"-"	$_____
NET INCOME: "="		$_____

ATTACH MOST RECENT COPY OF YOUR FEDERAL TAX RETURN

The above information is correct to the best of my knowledge, and I agree to notify _____ annually of any changes.

Signature: _____ Date: _____

In witness whereof, this _____ day of _____.

My commission expires: _____ (Notary Public): _____

WARNING: Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful, false statements of misrepresentation to any department or agency of the U.S. or to any matter within its jurisdiction.

EXHIBIT IV-D.7

CERTIFICATION OF ZERO INCOME

Household Name:_____ Unit No.:_____

Property Name: _____

1. I hereby certify that I do not individually receive income from any of the following sources:

   a. Wages from employment (including commissions, tips, bonuses, fees, etc.);

   b. Income from operation of a business;

   c. Rental income from real or personal property;

   d. Interest or dividends from assets;

   e. Social Security payments, annuities, insurance policies, retirement funds, pensions, or death benefits;

   f. Unemployment or disability payments;

   g. Public assistance payments;

   h. Periodic allowances such as alimony, child support, or gifts received from persons not living in my household;

   i. Sales from self-employed resources (Avon, Mary Kay, Shaklee, etc.); or,

   j. Any other source not named above.

2. I currently have no income of any kind and there is no imminent change expected in my financial status or employment status during the next 12 months.

3. I will be using the following sources of funds to pay for rent and other necessities: _____

_____

Under penalty of perjury, I certify that the information presented in this certification is true and accurate to the best of my knowledge. The undersigned further understand(s) that providing false representations herein constitutes an act of fraud. False, misleading or incomplete information may result in the termination of a lease agreement.

_____	_____	_____
Signature of Applicant/Tenant	Printed Name of Applicant/Tenant	Date

WARNING: Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful, false statements of misrepresentation to any department or agency of the U.S. or to any matter within its jurisdiction.

Last Revision: October 2016