



Section 811 Project Rental Assistance Program (PRA)

Tenant Selection Plan

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Introduction

The purpose of the Section 811 Project Rental Assistance (PRA) program, as authorized under the Frank Melville Supportive Housing Investment Act of 2010, is to provide extremely low-income persons with disabilities and extremely low-income households with at least one person with a disability, with decent, safe and sanitary rental housing through the use of rental assistance payments to owners. Section 811 PRA guidelines are applicable only to the assisted units. Grantee and owners must comply with these guidelines without modification, unless approved by HUD.

This Program Selection Plan describes the procedures used by the Minnesota Department of Human Services (DHS), in collaboration with Minnesota Housing, to identify target populations, to provide outreach and referral information, to maintain the waiting list and to provide guidance on tenant selection plans for HUD's Section 811 PRA.

Individual owners/agents must follow HUD program guidelines and will maintain their own tenant selection procedures and site specific occupancy policies. Owners, however, must give priority to Section 811 PRA applicants referred by the DHS Housing Coordinator until all PRA units are utilized.

The procedures described in this plan do not supplant the owner occupancy policies; however, owners must follow the Department of Human Services (DHS) referral process and other procedures as described in this plan.

Chapter 1 – Project Eligibility Requirements

Households eligible for Section 811 PRA include single adults and families. Households must meet **each** of the following three criteria:

The household must include at least one adult with a disability who is at least 18 but less than 62 years of age at the time of admission

The household must include at least one adult with a disability who is eligible for community-based, long-term services funded through Medicaid or state funding sources, including Medicaid Home and Community Based Services, Adult Mental Health Services, Moving Home Minnesota demonstration services, also known as Money Follows the Person (MFP), and Minnesota’s Long-Term Homeless Supportive Services

The household income cannot exceed the Extremely-Low Income (ELI) limit established by HUD and published annually (refer to Section 2 of this document)

1.01 Target Population

Section 811 PRA targets persons who are experiencing long-term homelessness and are enrolled in Minnesota’s Projects for Assistance in Transition from Homelessness (PATH) outreach program **OR** persons who are exiting an institutional setting after a long-term stay of 90 days or more and enrolled in Moving Home Minnesota demonstration program **OR** households having a member 18 years of age or older in one of the target populations.

Persons eligible for **PATH** include those who are suffering from serious mental illness and meet the definition of long-term homeless **OR** those who are suffering from serious mental illness with or without co-occurring substance abuse and who meet the definition of long-term homeless. PATH eligibility determinations are made by the PATH outreach workers and not Minnesota Housing.

Persons eligible for **Moving Home Minnesota** must be living in a qualified institution for at least 90 consecutive days, excluding days covered by Medicare. Qualified institutions include:

Intermediate care facilities for individuals with developmental disabilities

Nursing facilities

Hospitals, including community behavioral health hospitals

Institutions for Mental Disease (IMD), to the extent Medical Assistance pays for the stay (Medical Assistance typically pays if the person is under 21 years or 65 years plus)

Child and adolescent behavioral health services facility in Willmar (CABHS)

Moving Home Minnesota program eligibility determinations are made by the Moving Home Minnesota Transition Coordinator and not Minnesota Housing.

Additional Eligible Applicants

If there are no Applicants on the waiting list for a site location from the target population, the following individuals will be eligible for the program:

Persons experiencing homelessness and serious mental health issues with or without substance abuse and have no PATH Outreach Worker available in their location, but who are eligible for tenancy supports

Additional priority populations will be (in order of priority)

Adults with disabilities living in corporate foster care or assisted living settings

Adults with disabilities transitioning from their family homes

The waiting list will be opened to these populations in the following situations:

There is no PATH provider in the County

There are no MFP applicants for the units

The setting is more appropriate for a non-PATH targeted population

The ratio of non-PATH participants to PATH participants is less than 50%

1.02 Ineligible Households

The following households are excluded from Section 811 PRA:

Any household containing a member(s) who was evicted in the last three years from federally assisted housing for drug-related activity, with the following exceptions:

- The evicted household member has successfully completed an approved, supervised drug rehabilitation program.
- The circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household).

A household containing a member(s) who is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety and right to peaceful enjoyment of the property by other residents.

Any household member who is subject to a state sex offender lifetime registration requirement

Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety and right to peaceful enjoyment by other residents

Applicants must disclose Social Security Numbers (SSN) for all family members and provide proof of the numbers reported. If no SSN has been assigned to a particular family member, the applicant must, at a minimum, bring proof that an application to the Social Security Administration (SSA) has been completed. The SSN requirement does not apply to persons who are not claiming eligible immigration status or applicants age 62 or older as of January 31, 2010,

whose initial determination of eligibility for assistance was begun before January 31, 2010.

Acceptable evidence of the SSN consists of one of the following:

An original SSN card issued by SSA or an original SSA-issued document, which contains the name and the SSN of the individual

An original document issued by a federal, state or local government agency, which contains the name and the SSN of the individual (the documentation must identify the number as an SSN)

IRS Form 1099 or W-2 Form

Benefit award letters from government agencies

Unemployment benefit letter

Court records such as real estate, tax notices, marriage and divorce judgment or bankruptcy records

Verification of Social Security benefits with the Social Security Administration (SSA)

Applicants who have not disclosed and/or provided verification of SSN for all non-exempt household members have 90 days from the date they are first offered an available unit to disclose and/or verify the SSNs. During this 90 day period, if the applicant is unable to disclose and/or verify the SSNs for all non-exempt household members, the applicant will be determined ineligible and removed from the waiting list.

Failure to disclose all Social Security Numbers as required or failure to certify that a family member does not have a number is cause for denial of admission or termination of assistance, subject to the family's right to an informal review or hearing.

All family members, regardless of age, must disclose and document their SSN prior to admission. Owner/agent may accept and allow move-in of applicant households that include a family member under the age of 6 who cannot provide a Social Security Number (SSN), if the child was added to the household within the six months prior to move-in. The households will have 90 days and one additional 90-day extension to provide the SSN. This extension also applies to in-place households wishing to add a new family member under the age of 6 to the unit.

1.03 Student Eligibility

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Owner/agent must determine a student's eligibility for assistance at move-in, at initial or annual recertification, and at the time of an interim recertification if one of the changes reported reflects a household member is enrolled as a student.

Assistance will not be provided to any individual who:

Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate or other program leading to a recognized educational credential, **AND**

Is under the age of 24, **AND**

Is not married, **AND**

Is not a veteran of the United States Military, **AND**

Does not have a dependent child, **AND**

Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C.1437a(b)(3)(E)) and was not receiving Section 8 assistance as of November 30, 2005, **AND**

Is not living with his or her parents who are receiving Section 8 assistance, **AND**

Is not individually eligible to receive Section 8 assistance or has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance

In order for a student to be eligible, independent of his or her parents, the student must meet **all** of the following criteria:

The individual is 24 years of age or older by December 31 of the award year;

The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;

The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;

The individual is a veteran of the Armed Forces of the United States (as defined in subsection [c](1) of HEA) or is currently serving on active duty in the Armed Forces for other than training purposes;

The individual is a graduate or professional student;

The individual is a married individual;

The individual has legal dependent other than a spouse;

The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.) or as unaccompanied, at risk of homelessness, and self-supporting, by-

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- (i) A local education agency homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act;
 - (ii) The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
 - (iii) The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
 - (iv) A financial aid administrator; or
- The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.

In order to verify a student’s independence from parents, the owner/agent must:

Review and verify previous address information to determine evidence of separate household from parents or legal guardians, **or** verify the student meets the U.S. Department of Education’s definition of independent student

Reviewing a student’s prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education’s definition of “independent student”; and

Verify income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent(s) is not providing support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income

If the student is determined to be a Vulnerable Youth, such determination is all that is necessary to determine that only the student’s income is used for determining eligibility for section 8 assistance

An individual is considered Vulnerable Youth if they meet either of these criteria of the U.S. Department of Education’s definition of “independent student”

The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;

The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual’s State of legal residence;

The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.) or as unaccompanied, at risk of homelessness, and self-supporting, by-

- (v) A local education agency homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act;
- (vi) The director of a program funded under the Runaway and Homeless Youth Act or

- a designee of the director;
 - (vii) The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
 - (viii) A financial aid administrator; or
- The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances

The full amount of financial assistance paid directly to the student or to the educational institution, and amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs, are excluded from annual income.

1.04 Income Limits

HUD establishes income limits and revises them annually to ensure that federal rental assistance is provided only to low-income families. Income limits are based on family size and the annual income the family receives. The owner/agent will determine income eligibility prior to approving any applicant for tenancy. Applicants must have an income that is not greater than the maximum income limits established by HUD and as published annually in the Federal Register.

For Section 811 PRA, a family's annual income at the time of admission may not exceed the extremely low income limits established by HUD for the current year. Refer to Appendix B for the current extremely low income limits.

Chapter 2 – Referrals

2.01 Accepting Applications and Selecting from the Waiting List

Referrals for the program must come directly to the DHS Housing Coordinator from one of the following sources:

Path Outreach Workers

Moving Home Minnesota Transition Coordinator

County Social Services Worker for persons experiencing long-term homelessness and serious mental health issues with or without substance abuse and who have no PATH provider available in their county

County Social Services Liaison, for persons exiting corporate foster care, assisted living settings, or exiting the family home

2.02 Referral Process

Upon identification of a potential PRA participant, the referring worker completes and submits to the DHS Housing Coordinator a Section 811 PRA pre-application and an informed consent form. PATH outreach workers must also verify that the applicant meets the criteria of experiencing long-term homelessness. The referring worker also completes and submits verification of disability. The Section 811 PRA pre-application and the informed consent form must be sent by secure email or fax. The other forms may be sent by secure email, fax or USPS.

Upon receiving the referral, the DHS Housing Coordinator reviews the referral materials and contacts the referring worker with any requests for additional information.

The DHS Housing Coordinator determines if basic eligibility criteria has been met. The DHS Housing Coordinator screens the applicant for drug abuse and other criminal activity on the Dru Sjodin National Sex Offender Database and the Minnesota Courts Website. The DHS Housing Coordinator notifies the referring worker within three business days of receiving all referral materials about the applicant's eligibility for Section 811 PRA.

It is the responsibility of the owner/agent to screen the applicants using the Existing Tenant Search within EIV to determine if the applicant or any members of the applicant's household are being assisted under a HUD rental assistance program at another location.

The DHS Housing Coordinator places the applicant's name and location preferences on the waiting list. Electronic verification of each application's date and time of submission is maintained in the applicant's file.

The DHS Housing Coordinator reviews available Section 811 PRA units (if any) and determines if

any units match the location preferences of the applicant. When a unit becomes available:

The DHS Housing Coordinator selects the next two applicants on the waiting list for that area.

If the unit is handicapped accessible, the DHS Housing Coordinator selects the next applicant for that area who has identified a need for a handicapped accessible unit.

The DHS Housing Coordinator selects applicants on an alternating basis between Moving Home Minnesota participants and PATH participants during the ramp up phase of the first 85 units.

If there are no Moving Home Minnesota or PATH participants on the waiting list for a site location, and a unit becomes available at that location, the DHS Housing Coordinator offers that unit to applicants experiencing long-term homelessness and serious mental health issues or serious mental health issues with substance abuse and who have no PATH outreach program available in their county.

The DHS Housing Coordinator notifies the referring worker to verify that the applicant is still interested and has maintained eligibility for Section 811 PRA and to inform the referring worker to contact the owner/agent for a housing application. The DHS Housing Coordinator also ensures that the referring worker has developed a written plan to mitigate concerns about poor rental history and/or criminal history.

The referring worker arranges for the applicant to tour the unit, if the applicant wishes to do so.

If the applicant **accepts** the offer:

The referring worker contacts the owner/agent within five days of notification of the unit offer to start the application process and assists the applicant with completing the full application and verification process. If for any reason the unit/property is not an appropriate match for the applicant, or if the application to the unit is denied, the applicant maintains his/her position on the Section 811 PRA waiting list (provided he/she maintains eligibility for Section 811 PRA).

If unforeseen circumstances prevent the applicant from completing the application in a timely manner, the DHS Housing Coordinator works with the referring owner/agent and referring worker to try to extend the offer timeline.

The referring worker coordinates a tour of the apartment for the applicant.

If the applicant **declines** the offer:

The DHS Housing Coordinator documents the offer, and keeps the applicant on the waiting list until the next preferred unit becomes available.

The DHS Housing Coordinator verifies with the referring worker that the applicant's location preferences are correct.

If the applicant declines two offers for reasons other than the applicant is not ready to move, the unit does meet the applicant's accessibility needs or it does not meet the applicant's location preference, the DHS Housing Coordinator notifies the referring worker and removes the applicant from the waiting list.

If an applicant denies an available unit based on location preferences, the Housing Coordinator offers units from the waiting list to other applicants based on date of application and not location preference. Rejection of these offers will not be considered a formal denial of a unit.

Applicants will also be removed from the waiting list if they are denied a unit 2 times, or if the referring worker is unable to locate them when a unit becomes available. If the applicant did not respond to information or updates because of a disability, the applicant will be reinstated at the original place on the waiting list. The referring worker must provide a written statement to the DHS Housing Coordinator verifying that the applicant did not respond because of a disability.

2.03 Waiting List Policies and Referrals to Owner/Agent

The DHS Housing Coordinator will develop an electronic waiting list, which lists the client's name, housing status, disability type, need for an accessible unit, size preference, location preference, referring worker and other data required by HUD for quarterly reporting purposes. Any changes to the waiting list will be documented.

When the DHS Housing Coordinator determines the applicant eligible for Section 811 PRA, the DHS Housing Coordinator places the applicant on the waiting list in chronological order by date of application. Electronic verification of each application's date and time of submission is maintained in the applicant's file.

The DHS Housing Coordinator sends the next two applicants' referral information to the owner/agent, including the referring worker's contact information and the order of priority. The owner/agent must accept the first applicant unless the applicant is denied due to criminal history, poor rental history or poor credit that cannot be mitigated with an acceptable service plan.

If the Housing Coordinator cannot identify an applicant within the HUD vacancy payment period or cannot secure funding to hold the apartment beyond the HUD vacancy payment period, the owner/agent may fill the unit through his/her usual process.

Owner/agents should make a decision about each housing application within five business days of receiving them and must provide a decision in writing to both the DHS Housing Coordinator and the referring workers, listing any reasons for denial. If the owner/agent denies the application, the owner/agent must provide the referring worker the appeal process. The referring worker assists the applicant with the appeals process if the applicant wishes to appeal the decision.

2.04 Opening and Closing the Waiting List

The waiting list will open upon email notification to counties, Moving Home Minnesota Transition Coordinators and PATH providers. Email notices will be sent out as additional properties participate in the program, or if there are other program updates.

The DHS Housing Coordinator will determine if the waiting list for any or all locations should be closed due to a projected time estimate of 3 months for the availability of a unit, based on the number of applicants and the turnover rate.

The DHS Housing Coordinator will announce the closing of part or all of the waiting list through emails to referring agencies.

Chapter 3 – Standards and Policies

3.01 Occupancy Standards

A unit is assigned to an applicant family based on their family size and composition. Reference the written policies for the site’s specific standards. To prevent underutilization, the following minimum standards for occupancy apply:

Bedrooms	Minimum Persons
0	1
1	1
2	2
3	3

One person will not be permitted to occupy a unit with two or more bedrooms unless that person is:

- A person with a disability who needs the larger unit as a reasonable accommodation
- A displaced 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.

3.02 Security Deposit

The security deposit amount will be the greater of \$50 or the Total Tenant Payment determined at move-in. The tenant may pay the security deposit in an installment basis from his/her own resources and/or other public sources. The security deposit will be placed in a segregated, interest-bearing account. The balance of this account must at all times be equal to the total amount collected from the tenant, plus any accrued interest. The owner must comply with any applicable state and local laws concerning interest payments on security deposits and return the security deposit to the tenant following the requirements in HUD Handbook 4350.3 R1 C4 P 6-18.

3.03 Unit Transfer Policies

A change in the number of household members or the composition of a tenant family may change the size of the unit for which the family is eligible. The owner/agent is responsible for management of in-house waiting lists, overcrowded and under occupied units, and he/she will determine if the family is in the appropriately sized unit. The owner/agent will adhere to the minimum occupancy standards shown above.

Participants may request transfers to other units in accordance with the owner/agent’s

occupancy policies. The owner/agent must notify the DHS Housing Coordinator about the transfer.

3.04 Identifying Applicant Needs for Accessible Units or Reasonable Accommodations

Participants wishing to relocate to another Section 811 PRA property must submit a written request to the DHS Housing Coordinator. They also must comply with the terms of their lease agreement. Their name will be placed on the waiting list as of the date of their request.

The DHS Housing Coordinator will work with the owner/agent if a participant requests relocation due to a need for handicapped accessibility.

3.05 Unit Inspections

Prior to the initial lease execution, a move-in inspection must be completed and certified by both the owner/agent and the eligible tenant. The certified form must determine if the unit is in decent, safe and sanitary condition. The form will become an attachment to the lease. If the eligible tenant is unable to attend the move-in inspection, he/she must certify that they have waived the right to be present for the move-in inspection.

Each assisted unit will be inspected annually to determine if all appliances and equipment in the unit are functioning properly and to assess whether a component needs to be replaced or repaired.

A move-out inspection will be conducted when the eligible tenant vacates the unit. This will determine if any damages to the unit have occurred and will assist in determining the amount of security deposit to be reimbursed to the tenant. The tenant does not need to be present at the time of the move-out inspection.

Additionally, each assisted unit will be subject to inspection based upon the property's other existing federal or state housing programs pursuant to Uniform Physical Conditions Standards (UPCS). Minimally, these inspections occur every 3 years, however, reference the individual site's written policies for the frequency and purpose of the inspections.

3.06 Annual Recertification Policy

Owner/agents will conduct a recertification of family income and composition annually. All family members must supply the information requested by management, the owner and HUD. Tenants must sign the required consent forms and the owner/agent will obtain third party verification of the required documentation, including annual income, the value of assets, authorized deductions from annual income and other factors that affect the determination of adjusted income. Owner/agents will then calculate the rent and assistance payments based

upon the information gathered. Failure by the resident to comply with the recertification process may result in eviction for noncompliance with the lease requirement to recertify annually.

3.07 Interim Recertification Policy

To ensure that assisted tenants pay rents based on their ability to pay, applicants must understand and agree to HUD's requirement that they are required to supply interim information to the owner/agent when any of the following occurs between annually scheduled re-certifications:

- A family member moves in/out of the unit

- An adult member of the family who was reported as unemployed on the most recent certification obtains employment

- The family's income cumulatively increases by \$200 or more per month

- Student status

3.08 Termination of Assistance/Initial Certification Policy

If it is determined at recertification that the tenant's income has increased where they are able to pay the full contract rent, the assistance will be terminated. The tenant may remain in the unit and pay the contract rent. If the tenant later becomes eligible for assistance, they can request to be placed at the top of the waiting list for the property in which they live. If the tenant moves-out of the property, they will be removed from the waiting list.

When assistance is terminated for a tenant that is over income, assistance will be offered to the next applicant on the waiting list.

3.09 Implementation of House Rule Changes

Owner/agents must give tenants written notice 30 days prior to implementing new house rules.

Chapter 4 - Compliance with Section 504, Fair Housing and other relevant civil rights laws and statues

It is policy to fully comply with all fair housing and civil rights requirements, including but not limited to the following:

4.01 The Fair Housing Act

Prohibits discrimination with respect to race, color, religion, sex, disability, family status or national origin. To ensure compliance with this act, an applicant will not be:

- Denied the opportunity to apply for housing or lease housing suitable to their needs

- Provided housing that is different from housing provided to others

- Subjected to segregation or disparate treatment

- Restricted to any benefit enjoyed by others in connection with the housing program

- Treated differently in determining eligibility or other requirements for admission

- Denied access to the same level of services as others

- Denied the opportunity to participate in a planning or advisory group that is an integral part of the housing program

Additionally, advertising materials will not contain any exclusionary language, discrimination based on relation to another person will not take place, nor will retaliation or intimidation in any manner if someone exercises his/her right under the Fair Housing Act.

4.02 Title VI of the Civil Rights Act of 1964

Prohibits discrimination based on race, color, or national origin. To ensure compliance with this act, regular review of policies and procedures will be done so that such policies can be updated to remove any discriminatory practice that subjects individuals to discrimination based on race, color or national origin.

4.03 Section 504 of the Rehabilitation Act of 1973

Prohibits discrimination based upon disability. To ensure compliance with this act, the following obligations must be met:

- Reasonable structural modification to units and/or common areas that are needed by applicants and tenants with disabilities will be provided unless such changes would result in a fundamental alteration of the project or result in undue financial or administrative burden

Housing units will not be segregated based upon disability or type of disability

Auxiliary aids and services will be provided in order to promote effective communication with persons with disabilities

Eliminating situations or procedures that create barriers to equal housing are further depicted in the site's written policies and should include:

Reasonable Accommodations: adjustments to the method of administering policies, procedures or services at the property so that individuals with handicaps or disabilities can enjoy full access to the property.

Reasonable Modifications: some structural changes create an undue financial burden to the owner/agent; in such cases, residents may be allowed to make reasonable modifications to their individual units at the expense of the resident with an agreement that the resident will restore the unit to its original state upon vacating.

Assistance Animals: allowed on the property with proper verification of the need for the assistance animal.

Auxiliary Aids: every effort will be made to effectively communicate with individuals who have a handicap or disability. Auxiliary aids may include visual alarms, tactile signs, visual doorbells and other communication aids.

4.04 Applying Violence Against Women Act (VAWA) Protections

The owner/agent must provide notice to tenants of their rights and obligations under VAWA. Status as a victim of domestic violence, dating violence, sexual assault or stalking cannot be a basis for denial of rental assistance or admission if the applicant otherwise qualifies.

The owner/agent will not assume that any act is a result of abuse covered under VAWA. In order to receive the protections outlined in the VAWA, the applicant/tenant must specify that he/she wishes to exercise these protections.

When the owner/agent responds to a claim of protected status under VAWA, the owner/agent will request, in writing if appropriate, that an individual document the occurrence of the domestic violence, dating violence, sexual assault or stalking. The owner/agent must provide victims the option to complete the Certification of Domestic Violence, Dating Violence or Stalking, form HUD-5382, or, in lieu of the certification form or in addition to it, owners may accept a federal, state, tribal, territorial, or local police record or court record, or documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional from whom the victim has sought assistance in addressing domestic violence, or the effects of the abuse. If delivery of the certification form places the victim at risk, the owner/agent will work with the applicant/tenant in making acceptable delivery arrangements. The applicant/tenant will have fourteen (14) calendar days, or an agreed upon extension date, to submit the form or provide another form of documentation.

An owner/agent is not required to demand that an individual produce official documentation or physical proof of status as a victim in order to receive the protections of VAWA. The owner/agent, at his/her discretion, may provide assistance to an individual based solely upon the individual's statement or other corroborating evidence.

An incident or incidents of actual or threatened domestic violence, dating violence or stalking will not be construed as serious or repeated violations of the lease by the victim or threatened victim of that violence and will not be "good cause" for termination of the assistance, tenancy or occupancy rights of a victim of such violence.

The identity of the victim and all information provided to the owner/agent will be retained in confidence. The owner/agent will retain all documentation relating to an individual's VAWA protections in a separate file that is kept in a separate, secure location from the other tenant files. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is:

- Requested or consented to by the victim in writing
- Required for use in an eviction proceeding or termination of assistance
- Otherwise required by applicable law

The owner/agent must have tenants sign the VAWA lease addendum, form HUD-91067.

The owner/agent must not penalize victims of domestic violence, stalking or dating violence if the incident under review is a direct result of such abuse.

4.05 VAWA Emergency Transfer Plan

In accordance with VAWA, tenants of Covered Properties who are victims of domestic violence, dating violence, sexual assault, or stalking may request an emergency transfer. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. Emergency transfers depend on a determination that the tenant is eligible pursuant to this Plan and VAWA. Emergency transfers can be internal or external. Owners of Covered Properties are required to follow this Plan.

Internal Emergency Transfers. The Emergency Transfer Plan will allow eligible tenants to request an emergency transfer from the tenant's current unit to another unit within the property when a safe unit is immediately available. An internal transfer would allow an eligible tenant to reside in a new unit in the same property without having to undergo an application process. The ability of a property manager to honor such a request may depend on whether the property has a safe unit that is available to offer the eligible tenant for temporary or more permanent occupancy. If a safe unit is not immediately available, the owner must provide that, at a minimum, the tenant receives any applicable additional priority that housing provides may already provide to other types of emergency transfer requests.

External Emergency Transfers. An eligible tenant may also request an external transfer. A request for an internal and external transfer may be made concurrently if a safe unit is not immediately available. An external transfer is an emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant for that property; that is the tenant must undergo an application process in order to reside in the new unit. Eligible tenants who wish to make an external transfer when a safe unit is not immediately available, will be placed on the Section 811 PRA waiting list, with a preference over non VAWA related applicants, until the next preferred unit becomes available and provided information on victim service providers and advocates.

Appendix A – Definitions

Term	Definition
<p>Disability</p>	<p>For the purpose of eligibility for Section 811 PRA, a disability is defined as a physical, mental or emotional impairment that:</p> <ul style="list-style-type: none"> Is expected to be of long-continued and indefinite duration Substantially impedes a person’s ability to live independently Is of such a nature that such ability could be improved by more suitable housing conditions. <p>This includes, but is not limited to:</p> <p>Developmental Disability: a severe, chronic disability that:</p> <ul style="list-style-type: none"> Is attributable to a mental or physical impairment or a combination of mental and physical impairments Is manifested before the individual attains age 22 Is likely to continue indefinitely Results in substantial functional limitations in three or more of the following areas of major life activity (self-care, receptive and expressive language, learning mobility, self-direction, capacity for independent living, economic self-sufficiency) Reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated <p>Chronic Mental Illness: a severe and persistent mental or emotional impairment that seriously limits the ability to live independently and which impairment could be improved by more suitable housing conditions.</p> <p>NOTE: A person whose sole impairment is a diagnosis of HIV positive, alcoholism or drug addiction does not meet the definition of disability that is required to be eligible for Section 811 PRA.</p>

<p>Extremely Low Income (ELI)</p>	<p>ELI limit is defined as the higher of either the poverty guidelines provided by the Department of Health and Human Services or 30 percent of the Area Median Income (AMI) adjusted for the applicable family size.</p>
<p>Homelessness</p>	<p>Lacking a fixed, adequate nighttime residence. This includes ‘doubled up’ or ‘couch hopping,’ emergency shelters, living outside or in a place not meant for human habitation, transitional housing for homeless, or a hotel/motel.</p>
<p>Long-Term Homeless</p>	<p>A household who has been homeless for one continuous year or more, or have had four or more episodes of homelessness in the last three years.</p>
<p>Community Based, Long-term Services Funded Through Medicaid or State-Funded Sources</p>	<p>Medicaid Home and Community Based Services, Adult Mental Health Services, Moving Home Minnesota Demonstration and Minnesota’s Long-term Homeless Supportive Services (as described below)</p> <p>Medicaid Home and Community Based Services</p> <p><i>1915(c) waivers:</i> Minnesota currently administers four waivers for persons with disabilities [Developmental Disabilities (“DD”), Brain Injury (“BI”), Community Alternatives for Disabled Individuals (“CADI”), Community Alternative Care (“CAC”)]. These waiver programs are provided for Minnesotans with disabilities or chronic illnesses that need certain levels of care and are designed as alternatives to placing Medicaid-eligible persons in hospitals, nursing facilities or Intermediate Care Facilities for Persons with Developmental Disabilities (“ICFs/DD”). Specific services that may be provided include 24-hour emergency assistance, adult companion services, adult day care, assisted living, behavioral programming, caregiver living expenses, caregiver training and education, case management, case management aide, chore services, consumer directed community supports, consumer training and education, crisis respite, day training and habilitation, environmental accessibility adaptations, extended home care services, family training and counseling, foster care, home delivered meals, home health aide, homemaker services, housing access coordination, independent living skills, personal care assistant, pre-vocational services, residential care services, respite services, skilled nurse, specialized supplies and equipment, structured day program, supported employment services, transitional services, and transportation.</p>

	<p>Medicaid State Plan Services</p> <p>The Minnesota Medicaid Program benefit set includes medically necessary services, including home care services, which include home health aide, personal care assistant, private duty nursing, or skilled nursing visits.</p> <p>Adult Mental Health Services</p> <p><i>Adult Rehabilitative Mental Health Services:</i> ARMHS are rehabilitative and enable the recipient to develop and enhance psychiatric stability, social competencies, personal and emotional adjustment, and independent living and community skills. These services instruct, assist, and support the recipient in areas such as: interpersonal communication skills, community resource utilization and integration skills, crisis assistance, relapse prevention skills, health care directives, budgeting and shopping skills, healthy lifestyle skills and practices, cooking and nutrition skills, transportation skills, medication education and monitoring, mental illness symptom management skills, household management skills, employment-related skills, and transition to community living services.</p> <p><i>Assertive Community Treatment:</i> ACT is an intensive, non-residential rehabilitative mental health service that is an identified evidence-based practice. ACT services are provided by multidisciplinary staff using a total team approach, and directed to adults with a serious mental illness who require intensive services. Services include case management, initial and ongoing assessments; psychiatric services; employment and housing assistance; family support and education; substance abuse services; and other services and supports critical to an individual's ability to live successfully in the community.</p> <p><i>Adult Mental Health Targeted Case Management:</i> TCM services help adults with serious and persistent mental illness gain access to needed medical, social, educational, vocational, and other necessary services as they relate to the recipient's mental health needs. Services include developing a functional assessment and individual community support plan, referring and assisting the recipient in obtaining needed mental health and other services, ensuring coordination of services, and monitoring the delivery of services.</p>
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	<p>Moving Home Minnesota Demonstration Services</p> <p><i>Comprehensive Community Support Services:</i> short term supportive services such as home visits, health and wellness checks, problem solving, assisting an individual to establish informal supports in the community, ongoing support in maintaining housing (tenancy support, dispute resolution with landlords and neighbors), and information and education.</p> <p><i>MHM Demonstration Case Management Services:</i> coordination of the performance of assessments of functional skills and needs; the development, review and revision of individual service plans; informing persons and their legal representatives of service options and providers; assisting the person to access services; coordination of service delivery; and the monitoring and evaluation of the outcomes of services.</p> <p>Long-term Homeless Supportive Services Includes intensive case management, including assessment and individualized service planning; help accessing benefits, income support programs, health care; aid with family relationships, support and reunification; life skills development; support through treatment and recovery, including aftercare; tenant and financial literacy training, including the rights and responsibilities of tenancy; support for self-advocacy with landlords, neighbors, and criminal justice and school systems; and other formal and informal supports.</p>
<p>Money Follows Person Program (MFP)</p>	<p>A federal demonstration project aimed at assisting states to rebalance their long-term care delivery systems by supporting individuals in their transition from institutions to home and community based services.</p>
<p>PATH Program</p>	<p>Projects for Assistance in Transition from Homelessness. A state administered federal program that provides outreach, engagement and linking to mainstream services for persons with serious mental illness or serious mental illness with co-occurring substance abuse that are homeless or at imminent risk of becoming homeless.</p>

Appendix B – Income Limits

MINNESOTA HOUSING – SECTION 811 PROGRAM SELECTION PLAN

(must attach)