

The Black Panther Apartments
Tenant Selection Plan
for
Project-Based Voucher Units

May 20, 2024

Preface

This Tenant Selection Plan (TSP) has been developed to disclose the policies and procedures to be implemented in the marketing and selection of households eligible to occupy the 39 units subsidized by Project-Based Vouchers (PBVs) at *The Black Panther Apartments*.

The purpose of this TSP is to prescribe standards and criteria for resident selection in accordance with state, federal, and local civil rights and fair housing legislation and regulations promulgated by the U.S. Department of Housing and Urban Development (HUD). These standards and criteria apply uniformly to all of the PBV units at *The Black Panther Apartments*. The objectives of this TSP are:

1. To implement policies and procedures embodying standards and criteria for resident selection that take into account *The Black Panther Apartments*' goal of providing housing for low-income households and a variety of programs and services tailored to meet the needs and interests of low and extremely low-income prospective resident in the city of Oakland;
2. To provide a safe, sanitary, and comfortable living environment for the resident body as a whole;
3. Standardize the formulation, interpretation, and application of policies and procedures regarding eligibility and selection standards for PBV units.

Section I: Introduction

The Black Panther (Community) (Property) is composed of 79 housing units: 23 studios, 24 one-bedrooms and 32 two-bedrooms, including 12 ADA units. Thirty-nine (39) units in the Community are PBV units, subsidized and administered by Oakland Housing Authority (OHA), for which tenant selection will be subject to the guidelines of HUD, as outlined below. Additionally, the 39 non-PBV units will be available exclusively to applicants with very low and extremely low incomes (30% of AMI and below), though tenant selection criteria will follow the guidelines for PBV units. The Property offers supportive services to all residents through the BOSS (Building Opportunities for Self-Sufficiency) organization. The Property is owned by the 7th & Campbell, LP (LP), a partnership of McCormack Baron Salazar (MBS) and Oakland & the World Enterprises (OAW).

Section II: Key Regulations

The Black Panther is an affordable housing Community regulated by various subsidy programs. The policies and procedures outlined in this document are used to select residents for this Community. All procedures will be implemented in conjunction with

the PBV Program and OHA's administrative plan, as amended, and other applicable federal statutes and regulations, including, but not limited to, the following:

- Federal Register Notices/Final Rules;
- Code of Federal Regulations (CFR),
- Chapter 24, Section 983;
- The Fair Housing Act (Title VIII of the Civil Rights Act of 1968);
- Section 504 of the Rehabilitation Act of 1973;
- Americans with Disabilities Act of 1980;
- State of California Fair Housing Laws;
- The Housing Choice Voucher Program Guidebook.

Section III: Non-Discrimination Statement and Equal Opportunity Housing

This Community fully adheres to applicable federal, state, and local fair housing and civil rights laws, which provide that it is illegal to discriminate against any person due to race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, physical or mental disability, genetic information, age or any other arbitrary, personal characteristic in all housing-related activities. If an applicant believes that he/she has been discriminated against or treated unfairly in the application process, he/she may contact us in writing: **Keshab Gautam, MPI Management, 2625 Alcatraz Ave, #501, Berkeley, CA 94705; 510-841-4100; KGautam@mpihomes.com.**

This Community follows the requirements of section 504 of the Rehabilitation Act of 1973. It does not discriminate based on disability status in the admission or access to, treatment or employment in our federally assisted programs and activities.

This Community will seek to effectively communicate with applicants, residents, and members of the public or individuals with handicaps or disabilities. The use of auxiliary aides, such as readers, interpreters, large print documents, or recordings, will be implemented when necessary. The Community asks for three (3) business days' notice if an applicant requires us to provide any auxiliary aides to ensure effective communication in any meeting, interview or appointment.

This Community also allows Reasonable Accommodations and Modifications when requested by applicants or residents with disabilities to enable equal opportunity to use and enjoy the unit, and/or the common areas, to participate in our program and have access to activities sponsored by this Community in accordance with the Reasonable Accommodation Policy.

Executive Order 13166 of the U.S. Department of Justice requires all recipients of federal funds to take reasonable steps to ensure that persons with limited English proficiency (LEP persons) have meaningful access to federal programs and activities.

Section IV: Privacy Notices

4.1. HUD is authorized to collect this information by the U. S. Housing Act of 1937 (42 U.S.C. 1437 et seq.), Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-19). The Housing and Community Development Act of 1987 (42 U.S.C. 3543) requires applicants and participants to submit the Social Security number of each household member.

a. Purpose: Your income and other information are being collected by HUD to determine your eligibility, the appropriate bedroom size and the amount your family will pay toward rent and utilities.

b. Other Uses: HUD uses your family income and other information to assist in managing and monitoring HUD assisted housing programs, to protect the government's financial interest, and to verify the accuracy of the information you provide. This information may be released to appropriate federal, state and local agencies, when relevant, and to civil, criminal or regulatory investigators and prosecutors. However, the information will not be otherwise disclosed or released outside of HUD, except as permitted or required by law.

c. Penalty: You must provide all the information requested by the owner, including all social security numbers you and all other household members have and use. Giving the social security numbers of all household members is mandatory, and not providing your social security numbers will affect your eligibility. Failure to provide any of the requested information maybe result in a delay or rejection of your eligibility approval.

Section V: Violence Against Women Act

5.1. Background

The Violence Against Women and Reauthorization Act of 2013 protects residents who are victims of domestic violence, dating violence, sexual assault, or stalking from being evicted or terminated from housing based on acts of such violence against them. In accordance with the Violence Against Women Act (VAWA), the Community will not penalize victims of domestic violence, stalking, dating violence, or rape.

5.2. Notices of Occupancy Rights and Responsibilities Under VAWA:

Notice of Occupancy Rights. The OHA will provide the Notice of Occupancy Rights under VAWA to PBV tenants, which outlines their rights and obligations under VAWA, at the following points in time:

- a. When an individual is denied residency.
- b. When an individual is admitted to a dwelling unit.
- c. With any notification of eviction (not including Notices to Pay or Quit) or termination of occupancy.

5.3. Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation (Form HUD-5382).

- a. **Form HUD-5382.** An applicant who certifies he/she is eligible for VAWA status by completing Form HUD-5382, Certification of Domestic Violence, may be admitted if he/she can demonstrate that the adverse factors that might otherwise prevent their admission are a direct result of the circumstances that led to their VAWA status. It is the applicant's responsibility to adequately document that their adverse factors are the direct result of their VAWA circumstances. Typical documentation includes, but is not limited to, police records, medical records, and communications with creditors or landlords. The documentation must be relevant to the time frame(s) in question.
- b. **Alternate Documentation.** Alternately, in lieu of the certification form or in addition to it, the Community will accept:
 - 1) A federal, state, tribal, territorial, or local police record or court record, or
 - 2) Documentation signed by an employee, agent, volunteer of a victim service provider, an attorney, or medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking or, the effects of the abuse in which the professional attests under penalty of perjury under 28 U.S.C 1746 to the professional's belief that the incident or incidents are bona fide incidents of abuse, to which the victim of domestic violence, dating violence, sexual assault, or stalking has attested or has signed.

5.4. Confidentiality of Information.

The identity of the applicant and all information provided to owners relating to the incident(s) of domestic violence, dating violence, sexual assault, or stalking must be retained in confidence in a separate file in a secured location by the Community and must not be entered into any shared database or provided to a related entity, except to the extent that the disclosure is:

- a. Requested or consented to by the individual in writing;
- b. Required for use in an eviction proceeding; or

- c. Otherwise required by applicable law.

5.5. All Adults Must Sign the Addendum.

All family members, 18 and over, must sign the VAWA lease addendum. The HUD-approved certification form provides notice to the applicant of the confidentiality of the form and the limits thereof.

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

An “Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking” has been drafted for the Property. This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the Federal agency that oversees that the Management Agent is in compliance with VAWA. It is available in the Management office with a list of available referral agencies.

Section VI: Eligibility

This section is divided into two sub-sections. Section 6.1. the PBV program requirements. Section 6.2. includes Community’s policy and regulations.

6.1. PBV program requirements

- a. Income limits

Occupancy in Black Panther Apartments is subject to HUD's income limits. All units at this property are subject to a 30% Area Median Income. Current income limits are attached as Exhibit A

- b. Social Security Number

The applicant and all members of the applicant’s household must disclose the complete and accurate Social Security number (SSN) assigned to each household member and provide the documentation necessary to verify the SSN. There may be exceptions to SSN disclosure requirements. Please refer to Exhibit B for OHA’s SSN requirements. Documentation as acceptable evidence of the SSN:

- An original SSN card issued by the Social Security Administration (SSA)
- An original SSA-issued document, which contains the name and SSN of the individual

- An original document issued by a federal, state, or local government agency, which contains the name and SSN of the individual, along with other identifying information of the individual

c. Citizenship Requirements

PBV housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or noncitizens who have eligible immigration status. At least one family member must be a citizen, national, or noncitizen with eligible immigration status in order for the family to qualify for any level of assistance. All applicant families must be notified of the requirement to submit evidence of their citizenship status when he/she applies. Please refer to Exhibit B for OHA’s citizenship requirements.

d. Criminal Background Screening:

The Community and OHA are subject to City of Oakland’s Fair Chacne Access to Housing Ordinance. Therefore, all PBV units are subject to limited background screening for lifetime registration in the Sex-offender Registry and for criminal activity related to the manufacture or production of methamphetamine on federally assisted housing property.

e. Preferences:

All PBV units are subject to the following OHA preferences:

- Live or work in Oakland. Applicants who live or work in the City of Oakland at the time of the application interview and/or applicants who lived or worked in the City of Oakland at the time of submitting their initial application and can verify their previous residency/employment at the applicant interview, qualify for this preference.
- Family preference. Applicant families with two or more persons or a single person applicant that is 62 years of age or older, or a single person applicant with a disability, qualify for this preference.
- A veteran or active member of the military.
- A Homeless Preference. Applicant families who meet the McKinney-Vento Act definition of homelessness qualify for this preference (McKinney-Vento Act, i.e., “individuals who lack a fixed, regular and adequate nighttime residence,” including: children and youths who are sharing the housing of other persons due to a loss of housing or living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations or are living in emergency or

transitional shelters or are abandoned in hospitals; or you have a primary nighttime residence that is a public or private place, not designed for, or ordinarily, you ordinarily used as a regular, sleeping accommodation for human beings; or who are living in cars, parks, public spaces, abandoned building, substandard, housing's, bus, or train stations; or migratory children who qualify as homeless as described).

f. Occupancy Standards:

All PBV units are subject to OHA occupancy standards. For the unit sizes in this property, the occupancy standards are below. (For further information, see Exhibit E.):

A family with a **Head of Household and no spouse/significant other** would be allocated a subsidy size in the following manner:

Unit Size	Min persons	Max persons
Studio	1	1
1BR	1	1
2BR	2	3

A family with **a Head of Household and a spouse/significant other** would be allocated a subsidy size in the following manner:

Unit Size	Min persons	Max persons
Studio	1	2
1BR	1	2
2BR	3	4

6.2. Community Requirements

a. Pet policy:

No pets will be allowed at *The Black Panther* Apartments. Assistive animals for persons with disabilities are not considered pets, but do require advance written approval of management.

b. Smoking policy:

This Community is smoke-free. This applies to all residents of a household and residents' guests or visitors.

c. Non-POV Preferences:

The following preferences are applicable to non-PBV units

- Live or work in Oakland
- Live in one-mile radius
- Parent or guardian with child(ren) under 18 years old
- Physically disabled
- Seniors
- Interested party list

d. Income eligibility and income verification:

Occupancy in *The Black Panther* Apartments is subject to HUD's income limits. All units at this property are subject to a 30% Area Median Income. Current income limits are attached as Exhibit A.

e. Reasonable Accommodation Policy:

This Community is committed to making the apartment Community readily accessible and usable by individuals with disabilities. Property will consider any request by or on behalf of a disabled resident or applicant for:

- 1) A reasonable accommodation requesting a change in its rules and/or policies; or
- 2) A reasonable modification relating to alteration of the common areas or an individual unit.

Any such request should be made in writing in conjunction with the Reasonable Accommodation Policy (Exhibit C). Requests should be forwarded to **Keshab Gautam , MPI Management, 2625 Alcatraz Ave, #501, Berkeley, CA 94705; 510-841-4100; KGautam@mpihomes.com.**

If it is not possible to make the request in writing, the Property Community Manager will assist the person making the request and provide the necessary information. All Project-Based Voucher (PBV) units are subject to Oakland Housing Authority's reasonable accommodations policies and approval.

f. Unit Transfer Policy:

- 1) Applying for Assistance. All unit transfers will be processed in accordance with the Transfer Policy (Exhibit D). Vacant units will be filled on an

alternating basis between in-place residents requesting transfer and applicants from the external Waiting List as defined in Exhibit D – Transfer Policy. VAWA Transfer Requests and approved Reasonable Accommodation transfer requests will take priority over other in-house transfer requests or applicants on the outside Waiting List. In this manner, management will be able to avoid displacing, through eviction or other actions, current residents whose housing needs have changed since admission. Unit transfer requests will be done in chronological order, based upon the date the Transfer Application was submitted.

Section VII: Site-Based Waiting List Management

In this section, the property describes its policies and procedures for taking applications, managing the waiting list, and selecting families for PBV assistance. The policies described in this section are organized into three sub-sections, as follows:

7.1. The Application Process.

This section describes the policies that guide the property's efforts to distribute and accept applications and make preliminary determinations of applicant family eligibility that affect placement on the waiting list. It also describes the Property's obligation to ensure the application process's accessibility to elderly persons, people with disabilities, and people with limited English proficiency (LEP).

a. Applying for a PBV Unit

Any family that wishes to occupy a PBV unit at the *Black Panther* Apartments must submit an application when the waiting list is open. OHA allows owners to administer a site-based waiting list for individual buildings and projects that receive PBV assistance. The property will accept online and in-person applications. An online application will be made through the property's website: www.theblackpantherapartments.com. In-person application assistance is being arranged for specific dates and times not only at the site but also at various area churches.

Applications will be accepted for two weeks starting on May 28, 2024 to June 06, 2024.

The application constitutes the basic record of each applicant for admission. Each Applicant is required to supply the information requested on the application form and to sign the application certifying the accuracy of the information provided. Applications missing one or more of the required fields will not be considered complete and will not be placed on a waiting list.

The Property will verify the completed applications. The completed application will be date and time stamped upon its return to the property to document when the property received the application. Applications **delivered** to designated external locations will be retrieved by the Property. The Property staff will manually add all in-person applications to the online application. Online applications will be electronically logged as to the date and time received. However, this date and time received will not be applicable to the randomization of the waitlist. An electronic lottery will randomize all pre-applications received, and only a specific number will be selected randomly to add to the waiting list.

The application process involves two phases. The first phase involves the placement of the family on the waiting list. This process requires the family to declare any preferences to which he/she may be entitled, as well as the family's income, household size, and any applicable special needs. If two or more Applicants with identical preferences are eligible for placement on the waiting list, their order of placement will be determined by the order in which the family was randomly selected in the lottery process or the date and time of application if a lottery was not conducted. The second phase is the final determination of eligibility, which occurs when the family nears the top of the waiting list. The Property will ensure that verification of all preferences, eligibility, suitability, and selection factors are current to determine the family's final eligibility for occupancy in *The Black Panther Apartments*' Project-Based Voucher program.

The Property will take a variety of steps to ensure that the application process is accessible to those people who might have difficulty submitting an application. This could include people with disabilities, certain elderly individuals, as well as persons with limited English proficiency (LEP).

b. Placement on the waiting list

The property will place the first **thirty-nine (39)** randomly selected applicant families on the waiting list. Placement on the waiting list does not constitute a guarantee of acceptance for housing. All applicants must meet the criteria listed under program and Community requirements in section 6 of this plan. All documentation requested during the application process must be submitted immediately. Failure to supply information or documentation within 72 hours of the request may result in an Application being rejected. Applications may take up to ten (10) business days to process. A final determination of eligibility will be made when the family is selected from the waiting list.

When the family is selected for placement on the waiting list, the property will notify the family in writing or by email about placement on the waiting list.

Section 7.2: Selection for a PBV Unit

This part describes the policies that guide Property in selecting families for a PBV unit. It also specifies how in-person interviews will be used to ensure that the Property has the information needed to determine suitability and prepare paperwork for submission to OHA for PBV program eligibility.

a. Order of selection

The Property will **identify** the first 39 families with the most preference points. Applications will be processed on a first-qualified, first-served basis, meaning the first qualified applicant in waiting list order will be housed first. The Property will process these initial 39 families and determine their eligibility. Suppose nonw of the selected families qualifies or is not interested. In that case, the Property will move down the waiting list and select the following highest-ranking family from the waiting list. This practice will continue until all 39 PBV units are filled. The Property may also use this procedure for the 39 non-PBV units. The families that did not qualify or are selected will be removed from the waiting list.

b. Notification of selection

When a family/applicant has been selected from the waiting list, the Property must notify the family/applicant by either first-class mail or email. If the family/applicant does not respond to the selection notification letter **within 3 days**, the family/applicant will be removed from the waiting list. A notice of denial will be sent to the family's address of record.

c. Interview

An interview will be scheduled as an applicant's name approaches the top of the Waiting List. All members of the applicant's household must attend the interview. Being invited to attend an interview does not constitute admission to the program. Two failures to schedule and/or attend an agreed-upon time for an interview will be grounds for denial. Language assistance can be requested for applicants with limited English proficiency. Please request at least three business days prior to the interview.

During the interview, the applicant household will be asked to update the information on their original application. All sources of income and assets must be disclosed. During the interview, all items on the application will be discussed and confirmed, and third-party verification of each factor will be

attempted, per HUD and IRS regulations and procedures. Until all items are verified, eligibility cannot be determined, nor any housing offered. Third party verification includes original or authentic documents generated by a third party source that are dated within 120 days from the date of receipt by the owner, verification forms sent by the owner directly to the source and returned to the owner through mail, email, or fax, and oral verification.

d. Application decision

Suppose the application is approved and the applicant accepts an offered apartment. In that case, the applicant **will be asked to schedule a time to come to the LP's office at 1670 7th Street Oakland (7th and Campbell)** and fill out the PBV intake packet, and provide all necessary documentation for the PBV program. All household members must attend this session.

Once the applicant is approved by OHA (an applicant is considered approved by OHA when he/she has attended the PBV program briefing), the applicant will come to the management office and sign a lease. During this meeting, the applicant will be required to sign a lease agreement to abide by all the rules and regulations. OHA will also conduct a unit inspection with the applicant. The applicant is encouraged to read all leasing documents in advance of this appointment. Upon request, he/she will be mailed to the applicant. If the application is denied, the applicant will be notified of this decision in writing. This written statement will include the reason(s) for the denial, and state that the applicant has the right to appeal this denial decision and present any extenuating circumstances the applicant would like to have considered.

An applicant household will be rejected if it fails to meet any PBV program and Community eligibility requirements defined in Section VI of this TSP. An applicant household may be rejected for any of the following reasons:

1. The applicant/household does not meet the program/Community eligibility requirements listed in Section VI of this plan;
2. The household gross income (using the HUD definition of income) is over the applicable income limit published by HUD (See Exhibit A);
3. The applicant/household's monthly income does not meet the income standard established for this Community (30% of Area Median Income);
4. There is submission of false or untrue information on the application;

5. Failure to cooperate in the verification process including failure to provide requested information;
6. Failure to schedule and/or attend interview(s);
7. The applicant/household has refused two offered apartments and does not have a valid medical reason, or the household has refused three offered apartments with a valid medical reason;
8. The applicant/household has an unacceptable criminal background as reported by a consumer-reporting agency in accordance with the City of Oakland's Fair Chance Ordinance;
9. Household size does not conform to the stated minimum and maximum sizes as described in Section 6 of this plan;
10. Failure to sign designated or required forms and/or documents upon request;
11. Failure to disclose and document Social Security numbers on all nonexempt household members within 90 days of the date the household was first offered an apartment;
12. This will not be the only residence for the applicant/household;
13. The applicant/household is not willing to pay the rent as calculated under the subsidy program.
14. Failure to present all applicants during the interview with the Community Manager;
15. Blatant disrespect or disruptive behavior, or demonstrable history of such behavior, towards management, the property, or other residents exhibited by an applicant or household member or friend any time prior to move-in;
16. Misrepresentation of any information related to eligibility, allowance, household composition or rent.
17. Failure to meet any of the selection criteria in this document.

Section 7.3: Managing the Waiting List.

This part presents the policies that govern how the property waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for assistance. It also discusses the process the Property will use to keep the waiting list current.

The Property complies with OHA policies and procedures for the organization of a site-based waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for assistance, as well as conducting outreach to ensure a sufficient number of applicants.

a. Waiting list organization

The Property will organize its waiting list in a manner that allows the management to accurately identify and select families for assistance in the proper order.

The Black Panther Apartments' waiting list will contain the following information as a minimum for each applicant:

1. Applicant name
2. Date and time of application
3. Qualification for any preferences
4. Racial or ethnic designation of the head of the household
5. Qualifications for any local preferences

b. Waiting list update

Waiting lists will be updated at least annually. This will assure that the waiting list is current and accurate. It will confirm the applicant household's interest and eligibility, if the applicant household has located other means of housing, and if the applicant household is no longer eligible for subsidized housing. Updating the waiting list will also provide management with the current status of applicant households. It will allow management to know if there is a change in household status. Letters/cards must be mailed to the applicant household via the U.S. Postal Service. The letter/card should request the following information.

1. Change in Household Status (size, income)
2. Change in Residency/Address
3. Desire to Remain on the Waiting List

If the applicant household does not respond within the specified 30 day period, is determined to be ineligible or if the applicant household no longer desires to reside in the subject property, its name will be removed from the waiting list. A

letter will be sent to the applicant household confirming this final action. The applicant household will have the right to appeal this action within a specified period of time.

If the letter/card is received via U.S. Postal Service and the applicant household requests to remain on the waiting list, the applicant household will receive a letter from the owner confirming its status. The letter will state that it is the applicant household's responsibility to inform the owner of any changes in address, telephone number and household status.

Applicant households who fail to respond to the Annual Update within the noted time period, will be removed from the waiting list due to failure to respond to the update card. If after removal from the Waiting List, at a later date, the applicant notifies the Property of continued interest in residency, the applicant must reapply and complete a new application. These applicant households will assume a new position on the waiting list based on the date/time the most recent application is received. All waiting list changes, including removal of names, will be documented, time/dated and initialed.

Reasons an application may be removed from the waiting list include the following.

1. Applicant household no longer eligible or interested.
2. Applicant household fails to respond to a written notice.
3. Applicant household is offered and rejects two units at the same property.
4. Mail is sent to applicant household's address and is returned as undeliverable.
5. No appropriate size unit exists in the property.

If an application is removed from the waiting list and it appears that this was an error on the part of management, the application will be reinstated at the original place it occupied on the waiting list.

c. Reopening the waiting list

The Black Panther Apartments waiting lists will be reopened as needed by unit size based on the Community's needs. Prior to reopening the waiting list, the Community Outreach Plan will be reviewed and updated as determined necessary and submitted to OHA for approval and review. Part of that process will be reviewing the current demographics for the market area to determine if revisions to advertising and marketing are needed to reach underrepresented demographic population groups. Please refer to the property's Community Outreach Plan for further information about on outreach and marketing.

If an applicant on the Waiting List is offered an apartment, he/she may refuse the offered apartment once and maintain their place on the Waiting List. The applicant will not be contacted again for a 120-day period. If a second apartment is offered and refused, the applicant will be denied unless a valid verifiable medical reason exists.

The property will comply with OHA's request for information and provide waiting list-related information for OHA's reporting requirements.

d. Records of changes on the waiting list

The waiting list will provide a record that can be easily audited. Documentation of an action taken regarding an application will be maintained in the applicant household's file. This will include any changes (additions/deletions), approvals, withdrawals and rejections. The waiting list must provide information allowing activities relating to the status of an application to be easily traced. Such data may also be needed for documentation for related legal actions.

e. Record Keeping

1. Management must retain current applications as long as he/she are in active status on the waiting list.
2. Once an application is removed from the waiting list, management must retain the application, initial rejection notice, applicant household's reply, owner's correspondence and all related documentation for no less than three years from the date of removal.
3. When an applicant household moves into the facility and begins to receive rental assistance, the original application becomes a part of the resident household's permanent file. This must remain in place during resident household's tenancy and for no less than five (5) years after move-out.
4. The waiting list and all related material must be kept in a secure location and access must be available only for authorized personnel. This will protect the confidentiality of this material

Exhibit A HUD Income Limits

The Black Panther Apartments are subject to 30% Median Area Income for Oakland-Fremont, CA HUD Metro Area.

HUD 2024 Income Limits - Oakland-Fremont, CA Metro FMR Area										
FY 2024 Income Limit Area	Family Median Income (AMI)	FY 2024 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Oakland-Fremont CA HUD Metro Fair Market Rent area	\$155,700	Very Low (50% AMI) Income Limits	\$54,500	\$62,300	\$70,100	\$77,850	\$84,100	\$90,350	\$96,550	\$102,800
		Extremely Low Income Limits (\$)*	\$32,700	\$37,400	\$42,050	\$46,700	\$50,450	\$54,200	\$57,950	\$61,650
		Low (80% AMI) Income Limits	\$84,600	\$96,650	\$108,750	\$120,800	\$130,500	\$140,150	\$149,800	\$159,500

Exhibit B

OHA's Citizenship and Social Social Security Number Requirements

Citizenship Or Eligible Immigration Status [24 Cfr 5, Subpart E]

Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or noncitizens that have eligible immigration status. At least one family member must be a citizen, national, or noncitizen with eligible immigration status in order for the family to qualify for any level of assistance.

All applicant families must be notified of the requirement to submit evidence of their citizenship status when he/she apply. Where feasible, and in accordance with the OHA's Limited English Proficiency Plan, the notice must be in a language that is understood by the individual if the individual is not proficient in English.

Declaration [24 CFR 5.508]

HUD requires each family member to declare whether the individual is a citizen, a national, or an eligible noncitizen, except those members who elect not to contend that he/she have eligible immigration status. Those who elect not to contend their status are considered to be ineligible noncitizens. For citizens, nationals and eligible noncitizens the declaration must be signed personally by the head, spouse, cohead, and any other family member 18 or older, and by a parent or guardian for minors. The family must identify in writing any family members who elect not to contend their immigration status (see Ineligible Noncitizens below). No declaration is required for live-in aides, foster children, or foster adults.

U.S. Citizens and Nationals

In general, citizens and nationals are required to submit a signed 214 declaration form that claims their status. However, HUD regulations permit OHA to request additional documentation of their status, such as a passport.

Family members who declare citizenship or national status will not be required to provide additional documentation unless OHA receives information indicating that an individual's declaration may not be accurate.

Eligible Noncitizens

In addition to providing a signed declaration, those declaring eligible noncitizen status must sign a verification consent form and cooperate with OHA's efforts to verify their immigration status as described in Chapter 7. The documentation required for establishing eligible noncitizen status varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status had

been granted, the person's age, and, if applicable, the date on which the family began receiving HUD-funded assistance.

Lawful residents of the Freely Associated States or FAS are eligible for housing assistance under section 141 of the Compacts of Free Association between the U.S. Government and the Governments of the FAS [Public Law 106-504]. The FAS are comprised of the Marshall Islands, the Federated States of Micronesia, and Palau.

Ineligible Noncitizens

Those noncitizens who do not wish to contend their immigration status are required to have their names listed on a noncontending family member's listing, signed by the head, spouse, or cohead (regardless of citizenship status), indicating their ineligible immigration status. OHA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services(USCIS).

Providing housing assistance to noncitizen students is prohibited [24 CFR 5.522]. This prohibition extends to the noncitizen spouse of a noncitizen student as well as to minor children who accompany or follow to join the noncitizen student. Such prohibition does not extend to the citizen spouse of a noncitizen student or to the children of the citizen spouse and noncitizen student. Such a family is eligible for prorated assistance as a mixed family.

Mixed Families

A family is eligible for admission as long as at least one member is a citizen, national, or eligible noncitizen. Families that include eligible and ineligible individuals are considered *mixed families*. Such families will be given notice that their assistance will be prorated, and that he/she may request a hearing if he/she contest this determination. See Chapter 6 for a discussion of how rents are prorated, and Chapter 14 for a discussion of informal hearing procedures.

Ineligible Families [24 CFR 5.514(d), (e), and (f)]

A family will not be eligible for a PBV unit without verification of at least one family member as a citizen, national, or eligible non-citizen.

When OHA determines that an applicant family does not include any citizens, nationals, or eligible noncitizens, following the verification process, the family will be sent a written notice within 10 business days of the determination. The notice will explain the reasons for the denial of PBV assistance, that the family may be eligible for proration of assistance, and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services (USCIS), or to request an informal hearing with the OHA. The informal hearing with OHA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of

the USCIS appeal process, but that it may be delayed pending the completion of the informal hearing process.

Timeframe for Determination of Citizenship Status [24 CFR 5.508(g)]

If an individual qualifies for a time extension for the submission of required documents, OHA must grant such an extension for no more than 30 days [24 CFR 5.508(h)]. Each family member is required to submit evidence of eligible status only one time during continuous occupancy.

OHA will verify the status of applicants at the time other eligibility factors are determined.

Social Security Numbers [24 CFR 5.216 and 5.218 Notice PIH 2012-10]

The applicant and all members of the applicant's household must disclose the complete and accurate social security number (SSN) assigned to each household member, and he/she must provide the documentation necessary to verify each SSN. If a child under age 6 has been added to an applicant family within 6 months prior to voucher issuance an otherwise eligible family may be admitted to the program and must disclose and document the child's SSN within 90 days of the effective date of the initial HAP contract.

If a member of the family is over the age of 18, that person must provide SSN documentation as a part of the eligibility determination and prior to being added to the household. Assistance cannot be provided to a family cannot occupy a PBV unit until all SSN documentation requirements are met. A detailed discussion of acceptable documentation is provided in Chapter 7.

Note: These requirements do not apply to noncitizens who do not contend eligible immigration status.

In addition, each applicant who has not previously disclosed an SSN, or has previously disclosed an SSN that HUD or the SSA (Social Security Administration) determined was invalid, or has been issued a new SSN must submit his/her complete and accurate SSN and the documentation required to verify the SSN as part of the application process.

Applicants age 62 or older as of January 31, 2010, whose determination of eligibility was begun before January 31, 2010, are exempt from this requirement and remain exempt even if he/she moves to a new unit.

The Property must accept the following documentation as acceptable evidence of the SSN:

- An original SSN card issued by the Social Security Administration (SSA)
- An original SSA-issued document that contains the name and SSN of the individual

- An original document issued by a federal, state, or local government agency that contains the name and SSN of the individual, along with other identifying information of the individual
- Such other evidence of the SSN as HUD may prescribe in administrative instructions

The Property may only reject documentation of an SSN provided by a applicant if the document is not an original, if the original document has been altered, mutilated, or, is not legible, or if the document appears to be forged.

OHA Policy

The Property Management will explain to the applicant the reasons the document is not acceptable and request that the individual obtain and submit acceptable documentation of the SSN to the Property Management within 90 days.

The Property Management will grant one additional 90-day extension if needed for reasons beyond the applicant's control such as delayed processing of the SSN application by the SSA, natural disaster, fire, death in the family, or other emergency. If the applicant fails to provide SSN documentation requirements upon expiration of the provided time period, the Property Management will deny eligibility of the applicant family..

HUD permits an exception if a child under the age of 6 years is added to the applicant household within the 6-month period prior to the household's date of admission. Under these conditions, the applicant household may become a participant as long as the required documentation verifying issuance of a SSN for the child is provided.

Exhibit C

Community's Reasonable Accommodation Policy

The Black Panther Apartments recognizes its obligations to reasonably accommodate individuals with disabilities in all phases of its operations. This includes employees of the Community, applicants for housing and future residents of *The Black Panther* Apartments.

The Reasonable Accommodations requirements are expressed in the Fair Housing Act Amendment of 1988 as promulgated by HUD (24 CFR Parts 14 et seq.).

All PBV units are subject to OHA reasonable accommodation policies as included in OHA's Administrative Plan (Chapter Two, Part II) and approval by OHA.

In accordance with these regulations, and in recognition of our obligations, *The Black Panther* Apartments hereby puts forth this Reasonable Accommodations Policy:

1. Management will make reasonable accommodations, which are changes, exceptions, or adjustments to a program, service, building, dwelling unit, or workplace that will allow a qualified person with a disability to participate fully in a program, take advantage of a service, live in a dwelling, or perform a job.
2. Management will make accommodations that are both reasonable and necessary to afford an individual with disabilities equal opportunity. In order to show that a request is necessary, there must be an identifiable relationship, or nexus, between the requested accommodation and the individual's disability.
3. Management will determine whether a request for accommodation is reasonable and may propose an alternative that is equally as effective in affording equal opportunity.
4. In order to be eligible for a reasonable accommodation, an individual must be considered disabled as defined by Federal Law.

A person with disabilities is defined as someone who has a physical or mental impairment that substantially limits one or more major life activities; is regarded as having such an impairment; or has a record of such an impairment. Major life activities include but are not limited to: seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking and working.

5. Normally a reasonable accommodations request should be submitted in writing, but whenever a resident, applicant, or employee makes it clear that a request is being made for an exception, change, or adjustment to a rule, policy, practice, service, or physical structure because of their disability, Management will consider the request. Reasonable Accommodation requests can be made by the person with the disability, a family member, or someone else acting on the

individual's behalf. It is usually helpful for both the individual with the disability and management if the request is made in writing. If the individual with a disability requires assistance in providing a written reasonable accommodation request, Management will assist the individual with disabilities with this request.

6. Upon receiving the request, Management will attempt to verify that the applicant/resident/employee meets the definition of a person with disabilities listed above, and needs the accommodation in order to benefit from the programs, or services offered at this Community unless the disability is obvious or otherwise known to the **Management** and the need for the accommodation is readily apparent or known, in which case no verification is required.
7. Management will respond in writing, and in a manner deemed most understandable to the applicant/resident/employee.
8. Management does not, by law, have to honor a reasonable accommodation request that would result in:
 - a) A fundamental alteration in the nature of the **Community**. This means that Management does not have to provide services that are not presently being provided. In such case, the individual may obtain the service(s) on their own.
 - b) An undue financial burden. This determination will be made on a case-by-case basis, involving various factors, such as the cost of the reasonable accommodation, the financial resources of the Property, the benefits the accommodation would provide the requester, and the availability of alternative accommodations that would adequately meet the requester's disability-related need.
 - c) An undue administrative burden. This means the accommodation would not easily be accomplished with existing staff and would require the hiring of additional staff or would result in a reduction in services to other residents.
9. If an accommodation request falls into one of the three categories in No. 8 above, Management will endeavor to identify an equally effective means of meeting the individual's needs. Reasonable accommodations are based on need not preference. Management may also, where a request is denied for reasons permitted by law, allow the individual to make modifications at their own expense.
10. Management will allow assistance and companion animals. Management will verify the need for the assistance or companion animal (unless the need is readily apparent or already known), and the resident is responsible for the conduct of the animal at all times in a manner consistent with the lease.

11. Consideration of all accommodation requests shall be made on a case-by-case basis.
12. Individuals who believe he/she has been discriminated against in connection with this policy should contact **Keshab Gautam , MPI Management, 2625 Alcatraz Ave, #501, Berkeley, CA 94705; 510-841-4100; KGautam@mpihomes.com.**

Exhibit D Transfer Policy

Project-Based Voucher Units through Oakland Housing Authority

For the PBV Units, with approval from the Executive Director of OHA, on a case-by-case basis, OHA may allow inter-program moves and transfers, if there are PBV units or Housing Choice Vouchers (HCVs) available and the resident is eligible for the relevant program. OHA may also allow participants of local non-traditional programs to transfer to the PBV program provided that the family has met the program guidelines specified in the local program.

OHA Policy

A PBV site-based waiting list may use the same selection preferences that are used by OHA for the HCV tenant-based voucher program or may establish selection criteria or preferences independently for occupancy of particular units in a PBV development.

OHA may also refer a family to an OHA contracted PBV development where the owner is authorized to administer a PBV site-based waiting list. The owner must provide the family with absolute preference for the next available appropriately sized PBV assisted unit. A family granted an absolute preference to move is still subject to owner screening requirements and offer of a PBV assisted unit.

Non-PBV Units

It is the Community's policy to manage our building with particular attention and sensitivity to the needs of our residents. Management's intention is to provide and service quality housing, offer flexibility with regard to changing personal and family needs, and administer our supportive services programs fairly to everyone. Transfers are made without regard to race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, physical or mental disability, genetic information, age or any other arbitrary personal characteristic.

In-place residents awaiting transfer with an approved Violence Against Women's Act emergency transfer will have priority and be transferred prior to all other in-place resident transfers and applicants from the Waiting List. Once emergency transfers have been resolved, in-place residents with approved Reasonable Accommodations will be transferred before all remaining in-place residents awaiting transfer or applicants from the Community Waiting List. Transfers requested as a result of an approved Reasonable Accommodation have priority over all other in-place resident transfer requests and applicants from the external Waiting List. All transfer requests must be made and submitted in writing to Management at the site using the Transfer Request Form. Transfer requests will be considered in the order received within each category below.

In-place residents with an approved unit transfer request (including approved Reasonable Accommodation requests) may refuse the first unit offered for the transfer. If the resident refuses a 2nd unit, he/she will lose their current position, and will be taken off the Transfer Waiting List. If he/she still wish to transfer, he/she must request a new unit transfer (or a new Reasonable Accommodation request for unit transfer) in order to be placed in the Transfer Waiting List. Extenuating circumstances may be considered to grant an exception to this policy.

Management-initiated transfers for reasons including under-occupancy or over-occupancy of a unit, or a non-disabled household living in a unit designed for a person with disabilities, are NOT eligible to refuse a unit transfer.

Transfer Categories

Transfers will be considered for the following reasons:

1. **VAWA Emergency Transfer:** VAWA Emergency Transfers will be made in accordance with the Community's VAWA Emergency Transfer Plan (described in Section 5 of this plan).
2. **Reasonable Accommodation Requests:** Individuals with disabilities may require transfer to a unit designed specifically for persons with disabilities, to a unit that allows them equal opportunity to use and enjoy access to their housing, or to a unit that can accommodate a live-in attendant; this must be approved through the Reasonable Accommodation process.
3. **Change in Household Composition:** Changes such as an increase or decrease in family size may cause a household to be out of compliance with the specific Community or program occupancy standards. Households under or over occupying a unit will be required to transfer to the appropriately sized unit within 30 days of notification of availability.
4. **HUD/Tax Credit Compliance:** When necessary to remain in compliance with regulatory requirements, residents will be required to transfer to a unit with a specific income set-aside that coincides with household's income.

Residents who request to transfer under Category 4 must be in good standing and have no serious lease violations. Good standing is defined as current on all rent and other charges and having no housekeeping deficiencies as verified on the most recent unit inspection. Serious lease violations include, but are not limited to damage to property, failure to pay rent on a timely basis, and violating the peaceful enjoyment of neighbors. This policy is subject to revision pending any change to HUD or Civil Rights regulations.

5. **Other Compelling Reason:** When management determines that a move is necessary, the reason will be documented, verified and approved by management

(either by the Property Manager or Director of Property Operations) prior to initiating the transfer.

Exhibit E
OHA’s Occupancy Standards for the PBV Program

For PBV units, the occupancy standard will be the same as the tenant-based subsidy standard described in OHA’s Administrative Plan (Chapter 5, Section II.A).

OHA will assign one bedroom for each two persons within the household, except in the following circumstances:

- The Head of Household, if single, will be assigned their own bedroom and then one bedroom will be assigned for each remaining two persons within the household.
- Live-in aides will be allocated a separate bedroom.
- Single-person families will be allocated one bedroom.

OHA will reference the following charts in determining the appropriate unit size for a family:

A family with a Head of Household and **no** spouse/significant other would be allocated a subsidy size in the following manner:

Family Size	Unit Size
1	1-Bedroom
2	2-Bedrooms
3	2-Bedrooms
4	3-Bedrooms
5	3-Bedrooms
6	4-Bedrooms
7	4-Bedrooms
8	5-Bedrooms

A family with a Head of Household and **a** spouse/significant other would be allocated a subsidy size in the following manner:

Family Size	Unit Size
1	1-Bedroom
2	2-Bedrooms
3	2-Bedrooms
4	3-Bedrooms
5	3-Bedrooms
6	4-Bedrooms
7	4-Bedrooms
8	5-Bedrooms