

Attachment 1

Eligibility Criteria and Occupancy Standards

The stated eligibility criteria shall apply to the following subsidy programs:

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1.) Section 8

2.) Management will consider housing applicants for residency who at the time of admission, meet all of the following conditions, as outlined in HUD 4350.3 REV 1, and any applicable federal/state guidelines, and who have submitted an application for occupancy. The following criteria shall be utilized to determine an applicant's eligibility:

- ◆ South Cove Plaza for **Contract # MA06-0003-033**: A household is a family or single person who is eligible under applicable federal/state requirements. South Cove Plaza restricts the eligibility to households whose head is 62 years or older and/or is designated as Disabled.

The following criteria shall be utilized to determine an applicant's eligibility:

- ◆ A household is a family or single person who is eligible under applicable federal/state requirements.

Household members must meet the final "Student Rule" (HUD) (FR-5036-F-01). The final rule requires that if a student is enrolled at an institution of higher education, is under the age of 24, is not a veteran, is unmarried and does not have a dependent child, is individually ineligible for Section 8 Assistance, or under the student's parents are individually or jointly, ineligible for assistance, no section 8 assistance can be provided to the student; Is not a person with disabilities, as such term is defined in section 3(b)(3)(F) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005;" and is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive section 8 assistance.

If a person with disabilities, as such term is defined in Section 3(b) (3) (E) of the United States Housing Act of 1937 (42 U.S.C. 1437 a (b) (3) (E) and was not receiving assistance under such section 8 as of November 30, 2005, they would not be allowed to receive assistance under the Student Rule".

- ◆ The Agent must develop a written method for assigning units and have it available on-site.
- ◆ Household annual income does not exceed current program income limits.
- ◆ Households who have provided verified social security numbers (SSN) for all family



members. A six week extension will be granted for family members with no SSN to obtain one.

- ◆ Households who have not committed any fraud in connection with any Federal or State Housing Assistance Program, and owe no rent or other amounts in connection with housing assistance.

OCCUPANCY STANDARDS

Occupancy is usually based on two people per bedroom unless the square footage allows or requires otherwise. Household size must comply with unit size based on the current State Sanitary Code Minimum Square Footage Requirements or any applicable Federal regulations or requirements, including those found in Section 3-23 (Occupancy Standards) and Exhibit 3-2 (Fair Housing Enforcement - Occupancy Standards Notice of Statement of Policy, 63 FR 70256) of the HUD 4350.3 REV-1.

EXAMPLE

State Sanitary Code Minimum Square Footage Requirements

<i># Occupants</i>	<i>S.F. Per Bedroom*</i>	<i>Total Habitable Area*</i>
1	70 sq. ft.	150 sq. ft.
2	100 sq. ft.	250 sq. ft.
3	150 sq. ft.	350 sq. ft.

*Square footage excludes bathrooms, connecting hallways, closets and laundry rooms.

Acceptance of a unit at maximum occupancy does not give the tenant the right to claim overcrowded conditions and request a transfer to a larger unit, unless the family size changes.

Based on the average square footage for each unit type, specify the maximum and minimum number of occupants permitted for each unit:

Unit type & size	Average Square Footage:	Maximum occupants:	Minimum occupants*:
1 Bedroom	695	2	1
2 Bedroom	855	2	1

* subject to exception on the basis of reasonable accommodation, or as otherwise permitted by the subsidy program.

Other Occupancy Standards:

- (i) A husband and wife, or those in a similar living arrangement, shall be required to share a bedroom, unless the consequence of sharing would be a severe adverse impact on his or her mental



or physical health and the Agent receives reliable medical documentation as to such impact or sharing.

Acceptance of a unit at maximum occupancy does not give the tenant the right to claim overcrowded conditions and request a transfer to a larger unit, unless the family size changes.

