The Residences at Eaton Senior Communities
Tenant Selection Plan & Wait List Procedure

General Information

The Residences at Eaton Senior Communities (ESC) is a not-for-profit affordable senior housing provider located in Lakewood, Colorado. ESC has 161 apartments and offers subsidized rental options. Residency is open to all qualified eligible persons in accordance with the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 and the Colorado Fair Housing Act.

The local HUD income limits apply to ESC and applicants must meet specific income restrictions to be eligible for housing (FY 2026 Income Limits):
Low (80%) Income Limit: $74,800 (single), $85,450 (couple)
Very Low (50%) Income Limit: $50,400 (single), $57,600 (couple)
Extremely Low (30%) Income Limit: $30,250 (single), $34,600 (couple)

ESC complies with federal income-targeting requirements to ensure that a minimum of forty percent (40%) of newly admitted households each fiscal year are Extremely Low-Income (ELI) households, at or below the 30% income limit.

ESC is a Housing Assistance Project (HAP) under the Department of Housing and Urban Development (HUD) and is allowed to admit persons up to the low-income limit. ESC requires that all applicants for tenancy meet the requirements as defined:

- Be an elderly person(s) age 62 or older.
- Must provide verifiable identification sufficient to adequately screen the applicant for criminal and rental history and to confirm the applicant is not on the terrorist list.
- Preference will be given to applicants who have been displaced by government action or a presidentially declared disaster.
- Social Security Number (SSN) Requirements:
    - All family members claiming eligible immigration status and requesting assistance, regardless of age, must disclose and document their SSN prior to admission. This also applies to live-in aides. Applicants who cannot provide SSNs for all family members requesting assistance may retain their position on the waiting list. However, appropriate documentation of a SSN for all family members claiming eligible citizenship status must be provided before the household can be admitted.
    - There is an exception for applicants age 62 or older as of January 31, 2010, whose initial determination of eligibility for assistance was begun before January 31, 2010. For these applicants, documentation must be obtained from the owner of

the property where the initial determination of eligibility was determined that verifies the applicant's exemption status.

- Applicants who have not disclosed and/or provided verification of SSNs for all non-exempt household members has 90 days from the date they **are first offered** an available unit to disclose and/or verify the SSNs. During this 90-day period, the applicant may, at its discretion, retain its place on the waiting list. After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list.
- The SSN requirements do not apply to persons not claiming eligible immigration status.

General Occupancy Standards

General occupancy standards allow for one or two persons to occupy an apartment. All tenants must be listed on the lease, including a foster adult if applicable **(**a foster adult is usually an adult with a disability who is unrelated to the tenant family and who is unable to live alone). All apartments are approximately 540 square feet. All units are alike with the exception of the first floor units which have wheel-in showers instead of walk-in showers (accessible apartments). The applicant must agree to participate in ESC's meal program, which is $281.00 per month (fee effective 10/1/26 and subject to change). Cats and small dogs (30 lbs. or under) are allowed. A pet deposit of $300.00 is required except for applicants with an assistance animal.

A live-in aide does not need to be listed on the lease and his/her income is excluded. A live-in aide is defined as a person who resides with one or more elderly tenants, near-elderly tenants, or tenants with disabilities, and who: (a) Is determined to be essential to the care and wellbeing of the tenant(s); (b) Is not obligated for the support of the tenant(s); and (c) Would not be living in the unit except to provide the necessary supportive services. A relative may be considered to be a live-in aide if they meet the requirements previously listed, especially if they would not be living in the unit except to provide the necessary supportive services.

ESC must verify the need for the live-in aide. ESC must approve a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR part 8 to make the program accessible to and usable by the family member with a disability. ESC may verify whether the live-in aide is necessary only to the extent necessary to document that applicants or tenants who have requested a live-in aide have a disability-related need for the requested accommodation. This may include verification from the tenant's physician, psychiatrist or other medical practitioner or health care provider. ESC does not require applicants or tenants to provide access to confidential medical records or to submit to a physical examination.

The live-in aide qualifies for occupancy only as long as the individual needing supportive services requires the aide's services and remains a tenant. The live-in aide may not qualify for continued occupancy as a remaining family member. ESC will use a HUD-approved lease addendum that denies occupancy of the unit to a live-in aide after the tenant, for whatever reason, is no longer living in the unit or no longer requires the services of a live-in aide and gives ESC the right to evict a live-in aide who violates any of the house rules.

The screening of a live-in aide at initial occupancy or after initial occupancy involves similar screening activities. A live-in aide will be screened by applying the same criteria established for screening other applicants (see "Applicant Screening Criteria" in the tenant selection plan).

Citizenship and Eligible Immigration Status Verification

Housing assistance is available only to U.S. citizens and non-citizens who have eligible immigration status. At least one household member must be a U.S. citizen or have eligible immigration status for the household to receive assistance. Households that include both eligible and ineligible members ("mixed families") may receive prorated assistance in accordance with HUD requirements.

Each household member, regardless of age, must complete and sign a declaration indicating whether they:

- Are a U.S. citizen;
- Have eligible immigration status; or
- Do not claim eligible immigration status.

For household members under the age of 18, the declaration must be signed by an adult household member on the minor's behalf.

Household members who do not contend eligible immigration status are not required to submit immigration documentation but will not be eligible to receive housing assistance. Such individuals may reside in the unit but will be treated as ineligible members for purposes of assistance calculation.

Each household member claiming eligible immigration status must provide:

1. A signed declaration of eligible immigration status;
2. Original documentation issued by USCIS evidencing eligible status (copies will be retained in the tenant file); and
3. A signed consent form authorizing verification through the SAVE system.

Acceptable documentation may include, but is not limited to:

- Permanent Resident Card (Form I-551);
- Arrival/Departure Record (Form I-94) indicating eligible status;
- Employment Authorization Document (Form I-766);
- USCIS approval notice containing an alien registration number;
- Other USCIS-issued documentation demonstrating eligible immigration status under HUD regulations.

SAVE Verification Procedures

All claims of eligible immigration status will be verified through the SAVE system administered by USCIS.

The Owner/Agent will:

1. Conduct initial electronic verification through SAVE;
2. Initiate additional or secondary verification if SAVE returns an inconclusive or tentative result;

3. Provide written notice to the applicant or tenant if SAVE is unable to confirm eligible status;
4. Provide an opportunity to contest or appeal the determination in accordance with HUD requirements.

No denial of admission or termination of assistance based on immigration status will occur until SAVE verification procedures and required notice and appeal rights have been completed.
The Owner/Agent will document all SAVE verification attempts and results in the applicant or tenant file.

For non-citizen individuals who were age 62 or older and receiving HUD assistance as of June 19, 1995:

- A declaration of eligible immigration status is required; and
- Documentation verifying proof of age must be provided.

These individuals are not subject to SAVE verification requirements.
For elderly applicants (age 62 or older) applying for assistance after June 19, 1995, standard eligible immigration documentation and SAVE verification procedures apply.

Application Process

All interested parties who qualify under the program requirements must complete and sign a "Registration of Interest" form. The form is time and date stamped. If there are no available apartments at the time of receipt of the Registration form, the applicant's name will be placed on the waiting list at the time/date the form is received. Applicants are also given an inquiry card to complete so that ESC can understand how the applicant heard about the property.

Once the applicant's name is at the top of the waiting list, the applicant will be contacted by phone and the applicant will be given an ESC Application for Residency to complete to begin the leasing process. ESC will provide assistance to the applicant for completing the application or any necessary forms, if needed.

ESC will attempt to contact the applicant up to 3 times over 72 hours via phone to alert the applicant regarding apartment availability. If the applicant does not respond within 72 hours, the applicant's name will be removed from the waiting list and the next name on the list will be contacted. The burden is on the applicant to contact ESC every six months and to keep ESC apprised of up-to-date contact information.

If the applicant is reached but is not ready to move, he/she will be given the opportunity to remain on the waiting list, but the applicant's name will be placed at the bottom of the list. However, if the applicant is reached but unable to move due to a temporary medical emergency, applicant may remain in place.

Applicant screening criteria:

- ESC conducts criminal background checks, including the use of a national predator screening (which checks against all state registries) for all applicants. Once an applicant has completed an application and has been screened for financial eligibility, ESC's Director of Resident Services or designee will conduct an onsite or phone interview.
- ESC conducts an onsite or phone interview (screening) – The applicant can meet onsite at ESC or request a phone interview, the Director of Resident Services (Service Coordinator) or designee will interview the applicant to ensure that an applicant admitted to ESC will abide by the terms of the lease, pay rent on time (except for live-in aides), take care of the property and unit, allow all residents to peacefully enjoy their home, and be capable of meeting all his/her personal needs with or without assistance. Screening will also be conducted for housekeeping habits.
    - The applicant must maintain an environment free of pests, and not create any health, safety or sanitation hazards for self or others, and comply with health and safety codes.

Information to be verified: Current status as a HUD recipient.

- Sources of verification: The Enterprise Income Verification System provided by HUD; the Department of Health and Human Services (HHS); the Social Security Administration (SSA), and Medicare/Medicaid.
- All applicants must disclose if they are currently receiving HUD housing assistance. ESC will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit. HUD provides ESC with information about an applicant's current status as a HUD housing assistance recipient. ESC will use the Enterprise Income Verification (EIV) System's Existing Tenant Search to determine if the applicant or any member of the applicant household is currently receiving HUD assistance. Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin. Special consideration applies to:
    - Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit.

  If the applicant or any member of the applicant household fails to fully and accurately disclose rental history, the applicant may be denied based on the applicant's "misrepresentation" of information. This information will be reviewed on an annual basis, at each annual certification. If any household member receives or attempts to receive assistance in another HUD assisted unit while receiving assistance on this property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including termination of tenancy and pursuit of fraud charges.

Applicant notification and opportunity to supplement information already provided

If information provided by the applicant is in need of further explanation or documentation, the applicant will be contacted by ESC via phone and asked to supply the required information or documentation during any stage of the leasing/eligibility process. If the applicant does not supplement the information needed, and the leasing/eligibility process is compromised, ESC will reject the applicant for residency.

Procedures for rejecting ineligible applicants

If an applicant is not approved for residency, a written explanation of the reason for rejection shall be provided to the applicant. An applicant will not be accepted for residency for any one of the following reasons:

- The applicant is deemed ineligible for tenancy according to HUD eligibility requirements.
- The applicant is unable to provide verifiable identification sufficient to adequately screen the applicant for criminal and rental history and to confirm the applicant is not on the terrorist list.
- The applicant falsified the application (insufficient or inaccurate information).
- The applicant's financial standing is unsatisfactory, including but not limited to bankruptcy filing that has not been dismissed or discharged; anyone with an outstanding unpaid rental collection debt; anyone having an unsatisfied monetary judgment currently against them.
- The applicant refuses an onsite or phone interview screening before moving in.
- The applicant is unable to disclose and provide verification of social security number(s) of all household members, except for those household members who do not contend eligible immigration status or tenants who were 62 or older on January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
- The applicant does not sign and submit verification consent forms or the Authorization for Release of Information (forms HUD-9887 and HUD-9987-A).
- The applicant has household characteristics that are not appropriate for the specific type of unit available at the time or has a family of a size not appropriate for the unit size that is available.
- The applicant does not declare citizenship or non-citizenship status, or sign a statement electing not to contend citizenship status.
- The applicant does not meet ESC's screening criteria.
- The applicant has a felony or misdemeanor conviction involving a crime against persons, property or society, including but not limited to murder, assault, sex offense, robbery, burglary, fraud, bribery, prostitution, drug offense, alcohol related crime, weapons offense, a crime requiring registration as a sex offender, any other crime involving violence, theft or dishonesty or any other crime that The Residences determines could threaten the health, safety, property or right to peaceful enjoyment of other residents or employees. Only convictions in the five years prior to screening are considered except for methamphetamine distribution or manufacturing, required sex offender registration, or an offense in the homicide or stalking parts of the criminal code.
- Abuses or has a pattern of alcohol or substance abuse that could threaten the health, safety, or right to peaceful enjoyment of the premises of other residents or employees.
- Any applicant/household member who is currently engaging in illegal drug use.
- The applicant provided false information regarding the criminal background check or any other false material information to The Residences.
- The applicant has previously been evicted by Eaton Senior Communities, has previously been evicted by a former landlord, or is currently being evicted by a landlord.

- The applicant was previously rejected by ESC as a tenant.
- The applicant has a poor rental history.
- Any applicant/household member who has been evicted from Federally-assisted housing for drug-related criminal activity.
- If the applicant wishes to appeal the rejection decision, the applicant has 14 calendar days after the rejection letter was mailed or hand-delivered to the applicant to file an appeal. The appeal meeting will be conducted by an Eaton Senior Communities' staff member who was not involved in the initial decision to deny residency to the applicant. ESC must provide the applicant with a final decision within 5 business days after the review has been completed.
    - HUD contact:
      Kelerie Gann
      Senior Account Executive
      U.S. Department of Housing and Urban Development
      West Multifamily/Denver Satellite Office
      1670 Broadway, Denver, CO 80202
      (303) 672-5217 - Direct
      (303) 672-5388 - Fax

    - CHFA contact:
      Amy Karlstrum, Section 8 Officer/Contract Specialist
      1981 Blake Street, Denver, Colorado, 80202
      P.O. Box 60, Denver, Colorado 80201
      303.297.4879 direct
      303.297.2432 main
      800.877.2432 toll free

Violence Against Women Act (VAWA)

Definitions:

Domestic Violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating Violence means violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim, and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

Stalking means (A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and (B) in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.

Immediate Family Member means, with respect to a person: (a) a spouse, parent, brother or sister, or child of the person, or an individual to whom that person stands in loco parentis (in place of a parent); or (B) any other person living in the household of that person and related to that person by blood or marriage.

Bifurcate means to divide a lease as a matter of law so that certain tenants can be evicted or removed while the remaining family members' lease and occupancy rights are allowed to remain intact.

The law offers the following protections against eviction or denial of housing based on domestic violence, dating violence or stalking:

The Violence Against Women Act (VAWA) provides legal protections to victims of domestic violence, dating violence or stalking, as well as their immediate family members generally, from being evicted or being denied housing assistance if an incident of violence that is reported and confirmed. The VAWA also provides that an incident of actual or threatened domestic violence, dating violence or stalking does not qualify as a serious or repeated violation of the lease nor does it constitute good cause for terminating the assistance, tenancy, or occupancy rights of the victim. Furthermore, criminal activity directly relating to domestic violence, dating violence or stalking is not grounds for terminating the victim's tenancy. ESC may bifurcate a lease in order to evict, remove, or terminate the assistance of the offender while allowing the victim, who is a tenant or lawful occupant, to remain in the unit.

ESC must provide tenants the option to complete the Certification form HUD-91066. The certification form will be made available to all eligible families at the time of admission or, in the event of a termination or start of an eviction for cause proceeding, the certification may be enclosed with the appropriate notice, directing the family to complete, sign and return the form within fourteen (14) business days. ESC may extend this time period at its discretion.

ESC is required to attach the HUD-approved Lease Addendum, Form HUD-91067, which includes the VAWA provisions, to each existing or new lease. For further information, please see ESC's VAWA policy and procedure.

Security deposit requirements

A security deposit is required of all tenants upon initial move-in. The security deposit will be collected at the time of the lease signing. A tenant may make installment payment for the security deposit. The security deposit is equal to the tenant's base rent (TTP). If the tenant does not fulfill his/her obligations under the lease, ESC may use the tenant's security deposit as

reimbursement for any unpaid rent or other amounts the tenant owes under the lease. Within thirty (30) days after the move-out date, ESC will either:

- Refund the full security deposit plus any amounts owed under the lease,
- Provide the tenant with an itemized list of any unpaid rent, damages to the unit, and an estimated cost for repair, along with a statement of the tenant's rights under Colorado and local laws.
    - If the amount ESC claims is less than the security deposit, ESC must refund the unused balance to the tenant.
    - If ESC fails to provide the list to the tenant, the tenant is entitled to a full refund of the tenant's security deposit.

The security deposit will transfer with the tenant if the tenant transfers to another unit.

Unit inspections

Move-in Inspection:

- A representative of the Leasing Department will make an appointment and meet with the new resident/resident's family member to inspect the vacant apartment before the move-in date.
- A checklist will be completed by the resident/resident's family and the Leasing Department representative, dated, and signed by all parties. All checks/entries must be made in ink and acknowledged by all parties.
- Any issues/concerns identified by the move-in inspection will be communicated in writing by the Leasing Department to the Housekeeping and/or Maintenance Departments for follow-up and when the issues or concerns have been resolved the checklist will be revised, completed in ink, signed and acknowledged by all parties.
- The original checklist and any revised checklist will be placed in the resident's file and a copy made for the resident/resident's family member.

Move-out Inspection:

- The tenant is required to provide at least thirty (30) days' written notice to vacate the apartment.
- A representative of the Leasing Department will meet in the vacated apartment with the resident/resident's family member for final inspection.
- The original (move-in) checklist and any revised checklist will be retrieved from the resident's file and copies made available for the move-out inspection.
- The checklist will be completed by the resident/resident's family and a Leasing Department Representative, dated, and signed by all parties. All checks/entries must be made in ink and acknowledged by all parties.
- Any issues/concerns identified by the move-out inspection will be communicated in writing by the Leasing Department to the Housekeeping and/or Maintenance Departments for follow-up.
- The completed move-out checklist will be placed in the resident's file and a copy given to the resident/resident family member.

Waiting List and Internal Transfer Policy

Updating the waiting list

- The burden is on the applicant to contact ESC every six months and to keep ESC apprised of up-to-date contact information.
- ESC maintains an electronic waiting list and uses electronic safeguards to limit access to only authorized individuals.
- ESC documents the removal of names from the waiting list with the date and time of the removal. Reasons for removal from the waiting list include:
    - Applicant no longer meets the eligibility requirements for the property.
    - Applicant fails to respond to an oral notice (via phone) for an eligibility interview.
    - Applicant is offered and rejects the unit(s) (up to two) in the property.
    - Applicant is contacted and asks to move to the bottom of the list two (2) times. After the second time moving to the bottom of the list, the applicant will be dropped from the list and asked to reapply.
    - Applicant is not reachable by phone (phone is no longer in service; applicant does not call back within 72 hours of being called).
    - An applicant may be reinstated on the waiting list if he/she completes a new Registration of Interest card. However, if the applicant was removed from the list due to being non-responsive to information or updates because of a disability, the applicant's name will be reinstated at the original place on the waiting list.

Applicants who have not disclosed and/or provided verification of social security numbers 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 social security numbers. During this 90-day period, the applicant may, at its discretion, retain its place on the waiting list. After 90 days, if the applicant is unable to disclose and/or verify the social security numbers of all non-exempt household members, the applicant will be determined ineligible and removed from the waiting list.

Since all of ESC's units are the same size, ESC does not accommodate unit transfers unless the tenant needs an accessible apartment (either for medical reasons or to accommodate a person with a disability). If the tenant needs an accessible apartment, he/she will complete an in-house move request. If an apartment is not readily available, his/her name will be added to the in-house waiting list for an accessible apartment. In-house tenants receive priority over external applicants for accessible apartments and the in-house waiting list will always be at the top of the waiting list for accessible apartments.

ESC provides accessible apartments on the 1st floor of the residence. At the time the applicant is placed on the waiting list, the waiting list will indicate the need for an accessible apartment. On ESC's Registration of Information form and Application, the applicant is able to identify if he/she needs an accessible unit. If he/she needs an accessible unit, ESC will identify the need on the waiting list.

As accessible apartments become available, the applicant's name at the top of the waiting list for an accessible apartment will be contacted. The applicant has 72 hours to determine if he/she will begin the leasing process. If the applicant does not respond within 72 hours, the applicant's

name will be removed from the waiting list and the next name on the list for an accessible apartment will be contacted.

If an applicant is at the top of the waiting list and he/she needs an accessible unit, but the only unit(s) available consist of the original construction design, ESC will modify the existing original construction design to provide reasonable accommodation unless the alterations would result in undue financial and administrative burden. If the applicant wants to wait for an apartment that is already accessible, he/she will be kept on the waiting list for an accessible apartment. If the applicant wants to move into a non-accessible unit and wait for an accessible unit, the applicant will be placed on the in-house waiting list for an accessible apartment.

If an in-house resident is at the top of the waiting list for an accessible apartment, but there is not an accessible apartment available on the 1st floor, if the tenant requests that ESC make physical alterations to his/her current apartment (non-accessible unit) as a reasonable accommodation, ESC will accommodate that request unless the alterations would result in an undue financial administrative burden.

In order to verify an applicant/tenant's disability, ESC will send a third-party verification form to the applicant/tenant's physician, care worker of the elderly, social worker, psychiatrist or VA. The form provides the definitions of disability used to determine eligibility and rent and requests that the source completing the information to identify whether the applicant meets the definition.

When ESC's waiting list reaches two years (the first name on the waiting list is two years old), the list is closed. Once the list has been closed, future applicants will be advised that the waiting list is closed and additional applications will not be taken. ESC will then publish a notice in the Lakewood Sentinel stating ESC's reason for refusal to accept additional applications.

After the waiting list is closed, if the waiting list reaches one year (the first name on the waiting list is one year old), the list will be opened. ESC will publish a notice in the Lakewood Sentinel stating the opening of ESC's waiting list, the rules for applying, and the order in which applications will be processed. The notice will include ESC's hours for where and when to apply and will conform to the advertising and outreach activities described in the Affirmative Fair Housing Marketing Plan.

Policies to comply with Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act and other relevant civil rights laws and statutes

ESC complies with Section 504 of the Rehabilitation Act of 1973 by accommodating reasonable structural modifications to apartments or common areas that are needed by applicants and tenants with disabilities, unless these modifications would change the nature of the project or result in undue financial and administrative burden. ESC operates housing that is not segregated based upon disability or type of disability, unless authorized by federal statute or executive order. ESC provides auxiliary aids and services necessary for effective communication with persons with disabilities. ESC performs self-evaluation of management programs and policies to ensure that they do not discriminate based on disability.

ESC complies with the Fair Housing Act by refraining from any of the actions listed below based on race, color, religion, sex, disability, familiar status and national origin:

- ESC does not provide anyone housing that is different from that provided to others.
- ESC does not subject anyone to segregation, even if by floor or wing.
- ESC does not restrict anyone's access to any benefit enjoyed by others in conjunction with the housing program.
- ESC does not treat anyone differently in determining eligibility to other requirements for admission, in use of the housing amenities, facilities or programs, or in the terms and conditions of the lease.
- ESC does not deny anyone access to the same level of services.
- ESC does not deny anyone the opportunity to participate in a planning or advisory group that is an integral part of the housing program.
- ESC does not publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons.
- ESC does not discriminate against someone because of that person's relation to or association with another individual.
- ESC does not retaliate against, threaten, or act in any manner to intimidate someone because he or she has exercised rights under the Fair Housing Act.

ESC complies with Title VI of the Civil Rights Act of 1964 by not discriminating based on race, color or national origin. ESC maintains racial and ethnic data showing the extent to which members of minority groups are beneficiaries of federal financial assistance. ESC takes affirmative steps to overcome the effects of conditions that result in limiting participation by persons of a particular race, color, or national origin.

ESC complies with the Colorado Fair Housing Act by not discriminating based on race, color, religion, creed, national origin/ancestry, sex, disability/handicap, sexual orientation (including transgender status), marital status, familial status, source of income or veteran/military status.

The Residences at Eaton Senior Communities is committed to providing individuals with disabilities an equal opportunity to participate in and benefit from its programs, activities, and services. Individuals may request reasonable accommodations from The Residences at Eaton Senior Communities that they believe will enable them to have such equal opportunity to participate in our programs, activities, and services. To request reasonable accommodations, contact the Leasing Office at 303-937-3186.

The 504 Coordinator is Diana Delgado, President & CEO, 303-937-3096, ddelgado@eatonsenior.org, TDD Relay Colorado 800-659-3656, fax 303-937-3090.

Student Status

ESC must determine a tenant's student status upon move-in, recertification, initial recertification, and at the time of an interim recertification if one of the family composition changes reported is that a household member is enrolled as a student at an institution of higher education. The applicant/tenant must sign a "Student Status Acknowledgement" form upon move-in, recertification, initial recertification, and at the time of an interim recertification.

The student must meet **all** of the following criteria to be eligible. The student must:

1. Be of legal contract age under state law;
2. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, **or**
3. Meet the U.S. Department of Education's definition of an independent student. To be classified as an independent student, the student must meet the Independent Student definition for Title IV aid. The student must meet one or more of the following criteria:
    a. Be at least 24 years old by December 31 of the award year for which aid is sought;
    b. Be an orphan or a ward of the court through the age of 18;
    c. Be a veteran of the U.S. Armed Forces;
    d. Have legal dependents other than a spouse (for example, dependent children or an elderly dependent parent);
    e. Be a graduate or professional student; or
    f. Be married.
4. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
5. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

Changes in the tenant selection plan

ESC will review its Tenant Selection Plan at least annually to ensure that it reflects current operating practices, program priorities, and HUD requirements. When requested, ESC will make its Tenant Selection Plan available to the public. For potential applicants, a copy of the Tenant Selection Plan will be provided upon request.

Charges for facilities and services

a. ESC does not charge residents a reservation fee for use of meeting room space. However, if there is damage to the room and / or cleanup is required, the hourly housekeeping rate will apply.
b. ESC provides homemaker services for residents who would like to purchase the service(s) (prices effective 10/1/26 and subject to change):
    i. Housekeeping, Laundry = $28.00 per hour
    ii. Trash Services = $28.00 per week
c. The Residences at Eaton Senior Communities has a HUD mandatory meal program. All tenants are required to purchase no less than 24 meals per month at a cost of **$281.00** per month. An exemption may be provided after review by management per the following:
    i. A medical condition requiring a special diet which cannot be accommodated by the meal program after consultation with the Director of Dining Services. Lessee shall provide a physician-signed "Meal Program Exemption Consideration Form", which indicates the need and prescribes the requirement of the special diet. Within 10 working days, staff shall

evaluate the requirements in consultation with the lessee and the physician and shall make one of the following determinations:

1. Provide the prescribed diet; or
2. Grant a partial exemption based upon the dietary needs which can be met regularly; or
3. Grant a full exemption from the program

ii. Work Requirements with scheduled absences from the facility during normal serving hours, upon verification from the lessee's employer or supervisor.

iii. Absence from The Residences: if a lessee is absent from The Residences for seven (7) days or more for any of the following, meal credit is assessed after the seventh day:

1. Hospital or nursing home care; or
2. Vacation or temporary (less than 6 months) residence out of the facility; and, advance notice of such absence shall be required, except for emergency hospital or nursing facility care.

iv. Permanent immobility of a nature which makes it impossible for the resident to ambulate without assistance to the central dining room, which is wheelchair and handicap accessible. Residents may then have tray service in their apartments (being charged $1.00 per delivery after the first 30 days) or be granted an exemption from participation in the program.

v. In the event of temporary immobility or incapacity, the meal tray service may be provided up to 30 days without charge, provided that:

1. after three days, the need for such service shall be ordered by the resident's physician for any one episode of illness; and
2. tray service of more than 30 days duration shall be requested in writing by the resident and fee of $1.00 shall be assessed per delivery.

vi. Discretionary Exemptions: An owner may grant discretionary exemption to a tenant for the following reasons: dietary practices (i.e., religious-based dietary practice), financial hardship, or other good cause determined by the owner.

Annual recertification requirements

ESC conducts recertification of household income and composition on an annual basis. ESC obtains verification reports of employment and income for tenants through the HUD's Enterprise Income Verification (EIV) system. ESC does not currently utilize the Existing Tenant Search in EIV as part of the screening criteria for new tenants.

ESC sends the tenant a 120 days' notice (initial notice) for recertification with an interview date scheduled, along with a list of the information/documents required for the recertification (such as income, assets, medical expenses related to deductions from annual income, and other factors that affect the determination of adjusted income).

If the tenant is not able to meet at the scheduled interview date, the tenant is required to contact the leasing office to reschedule. If the tenant does not attend the scheduled interview, a second reminder notice (90 days' notice) is then sent to the tenant along with a new scheduled interview date.

If the tenant does not attend the 2nd scheduled interview, a third reminder notice (60 days' notice) is then sent to the tenant along with a new scheduled interview date. The third reminder notice services as a 60-days' notice to terminate assistance, and as a 60 days' notice to increase rent. If ESC fails to complete the verification process in time to give the tenant a 30 days' advance notice of a rent increase, the tenant's rent increase may not take effect until the 30 days' rent increase notice period has expired.

If the tenant responds after recertification date, the tenant is out of compliance and the tenant is responsible for paying market rent. If it is determined that the tenant qualifies for assistance, assistance can be reinstated and it will take effect the first day of the month following the date on which the tenant reported for the certification. If the tenant fails to report for the recertification interview and fails to pay market rent, or make arrangements to pay, ESC is obligated to evict for nonpayment.

If a tenant is out of compliance due to extenuating circumstances, such as hospitalization of the tenant or out of town for family emergency, the tenant must provide evidence of extenuating circumstances. ESC will provide the tenant with written notice of the decision and the tenant has the right to appeal ESC's decision if ESC determines that extenuating circumstances were not present.

ESC does not schedule annual recertifications for tenants paying market rent.

A tenant's recertification anniversary date is the first day of the month in which the tenant moved into ESC.

Interim recertification reporting policies

ESC tenants are responsible for notifying ESC management when:

- A family member moves out of the apartment.
- The tenant proposes to move a new member into the apartment.
- An adult member of the family who was reported as unemployed on the most recent certification or recertification obtains employment.
- The family's income cumulatively increases by $200 or more per month.

Tenants may request an interim recertification due to any changes occurring since the last recertification that may affect their payment (that will last more than one month), such as:

- Decreases in income including, but not limited to, loss of employment (this does not include deliberate action of the tenant to quit a job to avoid paying rent), reduction in number of hours worked by the tenant, and loss or reduction of welfare income.
- Increases in allowances including, but not limited to, increased medical expenses.
- Other changes affecting the calculation of a tenant's annual or adjusted income,

If ESC learns that a tenant has a change in income or family composition but the tenant has failed to report it to ESC, ESC will notify the tenant in writing of his/her responsibility to provide information about such changes. The tenant has 10 calendar days to respond to the notice. If the 10-days' deadline is not met, ESC will raise the tenant's rent to the market rent as of the first rent period following the 10-day notice period. If the tenant subsequently submits the required information, ESC will reduce the tenant's rent on the first of the following month. If the tenant's rent increases because of an interim adjustment, ESC must give 30-days' advance notice of the increase. The effective date of the increase will be the first of the month commencing after the end of the 30-day period.

If the tenant's rent decreases because of an interim adjustment, the change in rent if effective on the first day of the month after the date of action that caused the interim recertification. A 30-day notice is not required for rent decreases.

If the tenant does not comply with the interim reporting requirements, and the owner discovers the tenant has failed to report changes as required, ESC will initiate an interim recertification and implement rent changes as follows:

- ESC will implement any resulting rent increase retroactive to the first of the month following the date that the action occurred.
- ESC will implement any resulting rent decrease effective the first rent period following completion of the recertification.

Implementation of house rule changes

ESC retains the right to change the house rules at any time. If ESC makes changes to the house rules, ESC will give thirty (30) days' notice to the residents of the change.