

## **Tenant Selection Plan Addendum (for Section 811 Project-Based Rental Assistance Program)**

This addendum to the Tenant Selection Plan is applicable to units under contract with the South Dakota Housing Development Authority (SDHDA) for the Section 811 Project-Based Rental Assistance provided by the U.S. Department of Housing and Urban Development (HUD). SDHDA is the contract administrator of this program, herein referred to as 811 PRA.

1. Eligible 811 PRA applicants will be referred to the property for the 811 PRA set aside units by SDHDA in coordination with its State partners, as outlined in the Inter-Agency Partnership Agreement and in part with the Cooperative Agreement executed with HUD.
2. Eligible 811 PRA applicants are defined as Extremely Low Income<sup>1</sup> households where at least one person is an individual with a developmental disability, 18 years of age or older and less than 62 years of age at the time of admission into the property. The person with the disability must be eligible for community-based, long-term services as provided through Medicaid waivers, Medicaid state plan options, state funded services or other appropriate services related to the target populations under the Inter-Agency Partnership Agreement.
3. Under the 811 PRA Lease (HUD Form 92236-PRA), there are no provisions for any additional fees or charges to the tenant. This includes application fees, late fees, NSF fees, key deposits or replacement key charges. Any charges other than rent, utilities (if tenant paid) and tenant-caused damages to the unit must be approved by HUD prior to being assessed to a tenant.
4. The EIV Existing Tenant Search must be run prior to allowing an 811 PRA applicant to move in. This report must be included in the tenant file. If the report indicates the applicant may already be assisted at another location, the owner/agent must reach out to the other owner/agent to confirm the date when the subsidy will end for the applicant. The conversation must be documented on the report. Subsidy for the 811 PRA applicant cannot begin until the day after it has ended at the previous location. If an owner/agent has not received EIV access from HUD prior to execution of the RAC, please contact Beth at 605-773-2463 or [beth@sdhda.org](mailto:beth@sdhda.org) to make arrangements for SDHDA to run and provide this report to you for the tenant file.
4. Eligible 811 PRA applicants referred by SDHDA have preference for the 811 PRA set aside units.
5. Vacant 811 PRA set aside units must be held for up to sixty (60) days, after which time the owner may lease the unit to a non-811 PRA applicant, provided they set aside the next eligible vacant unit.
6. The absence of a rental or credit history cannot be used as grounds for rejecting an otherwise eligible 811 PRA applicant. Property management will use alternative criteria when processing applications. Examples include, but are not limited to, reference letters from employers, clergy, roommates, neighbors, shelter staff members, doctors, or social workers who can help determine whether or not an applicant will meet the terms of the lease and other requirements. When requesting that an applicant demonstrate an ability to pay rent, records of timely payment of utility bills, loans, child support or alimony are examples of acceptable alternatives.
7. Applicants will be screened through standard credit and criminal procedures as indicated in the Property's Tenant Selection Plan. Should an applicant's rental score be considered unfavorable, property management will review mitigating circumstances relevant to the information analyzed by the rental scoring system, prior to issuing an adverse decision. Arrest records will not be considered as a sole factor for an adverse admission decision. Rejection decisions based on criminal activity will only be made after consideration of the severity of the crime, the time that has passed since the crime occurred, the age of the applicant at the time of the offense, as well as the effect of the admission decision on other residents of the property. An 811 PRA applicant who has been denied admission will be provided 14 days to request a meeting with the owner to discuss the rejection decision.
8. Property management will accept reasonable accommodation requests from eligible 811 PRA applicants, in order that they may gain equal access and full use of the property and the 811 PRA subsidy. The applicant must be able to show that the requested accommodation is necessary, and that there is an identifiable relationship between the requested accommodation and the individual's disability. If a household requests an accessible feature, policy modification, or other reasonable accommodation, property management will review the request and approve the accommodation or modification unless doing so would result in a fundamental alteration in the nature of the program, or an undue financial and administrative burden to the owner/agent.
9. SDHDA will be notified within five (5) business days of an eligible 811 PRA applicant's status in the following scenarios<sup>2</sup>:
  - The applicant has been approved for an apartment and the anticipated lease date.
  - The applicant has been denied an apartment and the reason for the denial.
  - The applicant has refused an offered apartment.
10. SDHDA will be notified within five (5) business days of a current 811 PRA tenant's status in the following scenarios<sup>2</sup>:
  - The tenant has requested a transfer to a different unit, the reason for the transfer, the anticipated date of an approved transfer or the reason for a denied transfer<sup>3</sup>.
  - Property management has required that the tenant transfer to a different unit, the reason for the transfer and the anticipated date of transfer<sup>3</sup>.
  - Property management has served a Notice to Quit to the tenant.
  - The tenant's lease has been terminated, the date and reason for termination.

<sup>1</sup> Extremely Low Income limits are established by HUD and are subject to change annually as published.

<sup>2</sup> Property management will maintain an appropriate and signed Authorization for the Release of Information in the applicant and tenant files in accordance with HUD guidelines.

<sup>3</sup> Requests for transfers, whether tenant-initiated or management-initiated, must be reviewed by SDHDA. SDHDA cannot guarantee a change or the continued availability of a 811 PRA subsidy as a result of a transfer.