



**TENANT SELECTION PLAN
(with Affirmative Fair Housing Marketing Plan)**

**DEVELOPMENT NAME:
Sugarbush Meadow, LLC**

MassHousing No. 18-028

[A] INTRODUCTION

This Tenant Selection Plan (the "Plan") for Sugarbush Meadow, LLC (the "Development"), a 150 unit multifamily housing development located at 653 Amherst Road, Sunderland, MA 01375 has been prepared by Asset Campus Housing & Appleton Corporation (the "Agent"), as the management agent for Sugarbush Meadow, LLC ("the Owner").

The Plan sets out a procedure for processing and selecting applicants for subsidized units, including the establishment of preferences and priorities, occupancy standards, rejection standards, reviews and appeals of rejection decisions, and notice requirements.

[B] APPLICABLE HOUSING ASSISTANCE PROGRAMS/REQUIREMENTS

MassHousing Requirements. As a recipient of mortgage loan financing from the Massachusetts Housing Finance Agency (the "Agency" or "MassHousing"), the Plan is made subject to approval by MassHousing, and compliance with the Tenant Selection Regulations published by MassHousing, as such regulations may be amended from time to time. The Plan is further subject to, and incorporates in its entirety, the requirements set forth in the Tenant Selection Plan Reference Guide (the "TSP Reference Guide") available in MassHousing's Rental Portal Document Library, at masshousingrental.com, as may be amended from time to time. These requirements are collectively referred to as the "MassHousing Requirements." Unless otherwise defined herein, all capitalized terms used herein shall have the meaning given such terms in the TSP Reference Guide.

Other Program Requirements. In addition, the Development is currently the recipient of rental housing subsidy under one or more subsidy programs, and is subject to applicable laws, regulations and guidelines (together with the MassHousing Requirements, the "Applicable Program Requirements"), as follows:



Federal Assistance (check all that apply)	State Assistance (check all that apply)
<input type="checkbox"/> Section 8 Rental Subsidy (Project Based Only)	<input type="checkbox"/> Massachusetts Rental Voucher Program (MRVP) (Project Based Only)
PHA/Contract Administrator:	Administering Agency:
Waiting List/Program Eligibility Determination: <input type="checkbox"/> Owner maintained <input type="checkbox"/> PHA maintained	Waiting List/Program Eligibility Determination: <input checked="" type="checkbox"/> Owner maintained <input type="checkbox"/> Administering Agency maintained
Type/Source (if known): <input type="checkbox"/> New Construction (Part 880) <input type="checkbox"/> Substantial Rehabilitation (Part 881) <input type="checkbox"/> Moderate Rehabilitation for SRO Dwellings (Part 882) <input type="checkbox"/> Housing Finance Agency (Part 883) <input type="checkbox"/> Section 515 Rural Projects (Part 884) <input type="checkbox"/> Loan Management Set Aside or Property Disposition (Part 886) <input type="checkbox"/> Project Based Vouchers (Part 983) <input type="checkbox"/> Other: _____	DHCD Subordinate Loan Programs <input type="checkbox"/> HOME Investment Partnership Program* <input type="checkbox"/> Affordable Housing Trust Fund (AHTF) Program <input type="checkbox"/> Housing Stabilization Fund (HSF) Program * <input type="checkbox"/> Housing Innovation Fund (HIF) Program <input type="checkbox"/> Commercial Area Transit Node Program (CATNHP) * <input type="checkbox"/> Community Based Housing (CBH) Program <input type="checkbox"/> Capital Improvement and Preservation Fund (CIPF) * <input type="checkbox"/> Facilities Consolidation Fund (FCF) Program <input type="checkbox"/> Non-Federal Investment Trust Fund (NFIT) *
<input type="checkbox"/> Section 202	<input type="checkbox"/> Section 13A
<input type="checkbox"/> Section 236 (including 5-year post-maturity compliance period, if applicable)	<input type="checkbox"/> SHARP
<input type="checkbox"/> Rental Assistance Payments Program <input type="checkbox"/> Rent Supplement Program	Other Federal/State/Local Housing Assistance programs
	<input type="checkbox"/> Low Income Housing Tax Credits <input type="checkbox"/> HFA Risk Sharing Program <input type="checkbox"/> FHA Mortgage Insurance (MAP or Other)
NOTE: For purposes of the Plan, a development participating in any of the above Programs are included within the definition of "Federally Assisted Housing" found in 24 CFR 5.100, and are subject under the Plan to requirements applicable to Federally Assisted Housing units.	Other: <u>40B – HUD 4350 for income certification and eligibility</u> <input type="checkbox"/> check here if program specific attachment is included) * (DHCD Program Rider attached)



[C] NONDISCRIMINATION AND AFFIRMATIVE FAIR HOUSING MARKETING PLAN

In carrying out the Plan, the Agent shall not discriminate on the basis of race, color, religion, sex, national origin, genetic information, ancestry, sexual orientation, gender identity, age, familial status, children, marital status, veteran status or membership in the armed services, the receiving of public assistance, or physical or mental disability, or other basis prohibited by local, state or federal law in any aspect of tenant selection or matters related to continued occupancy. The Agent shall affirmatively market to minorities and persons with disabilities as specified in its Affirmative Fair Housing Marketing Plan (AFHMP) as approved by MassHousing and/or HUD, and attached to the Plan and incorporated herein as Attachment A. The Agent shall not discriminate based on race, national origin or another protected characteristic resulting from consideration of an applicant's limited ability to read, write, speak or understand English, or persons with limited English proficiency ("LEP"), either through the use of language-related criteria, or through a failure to provide housing-related language assistance services to persons with LEP.

[D] FOR APPLICANT INFORMATION AND REASONABLE ACCOMMODATION REQUESTS:

AGENT:	Asset Living _____	PHONE:	413-230-3874 _____
ADDRESS:	235 Triangle Street _____	TDD:	711 _____
	Amherst, MA 01002 _____	FAX:	413-895-6439 _____
ATTN:	_____	WEBSITE:	www.north116flats.com _____
EMAIL:	north116flats@assetliving.com		

[E] APPLICATIONS: Applications, in the form(s) approved by MassHousing, shall be distributed and accepted in the manner(s) indicated below:

- In Person
- By Mail (required)
- By Fax
- By Electronic Submission

Applications shall be received and processed pursuant to applicable procedures in the TSP Reference Guide, as modified by any Applicable Program Requirements, provided that such Applicable Program Requirements shall not limit or subordinate applicability of (i) the MassHousing Required Preferences or the MassHousing Rejection Standards (Attachment B). If the Development includes Federally Assisted Housing units, applicant screening for such units shall include an Enterprise Income Verification (EIV) Existing Tenant Search, which shall be completed pursuant to Agent's policies for obtaining and using the EIV Existing Tenant Search Report (Attachment C). The form of application(s) approved by MassHousing for use with this Plan are attached (Attachment D). Unless the Development has been



specifically exempted from such requirement, every notice for rejection of an applicant shall include a copy of the MassHousing Conference Procedures (Attachment E).

- The Development is exempt from the MassHousing Conference Procedures.
- The Development is Federally Assisted Housing or has adopted the Bracketed Inserts found on the MassHousing Rejection Standards.

[F] DEVELOPMENT ELIGIBILITY REQUIREMENTS AND OCCUPANCY STANDARDS

Square Footage: Enter the average square foot range for each bedroom size.
Occupancy Standards: Enter the minimum and maximum number of occupants per bedroom size based on the average square footage for each unit type. The number of occupants per unit is subject to exception as may be required for Fair Housing compliance, reasonable accommodation or as permitted by a subsidy program. This includes consideration of household members that are expected to share a bedroom under DHCD Guidelines in determining the minimum number of occupants per bedroom in a unit with more than 1 bedroom.
Unit Distribution: Enter the Total Units for each bedroom size and then further identify the units by Program Type as identified in the controlling documents. **Note:** Total units by Program Type should be equal to the total number of units in the development including the unsubsidized market units.
Income Eligibility: Enter the applicable percentage area median income (AMI) limitation by Program Type

Average Square Footage – Bedrooms:	0-BR ___ sf	1-BR <u>121</u> sf	2-BR <u>152</u> sf	3-BR <u>139</u> sf	4-BR ___ sf	5-BR ___ sf	6-BR ___ sf	Total
Average Habitable Area per Unit	___ sf	<u>536</u> sf	<u>937</u> sf	<u>1112</u> sf	___ sf	___ sf	___ sf	
Minimum/Maximum Occupants	1/___	1/___	2/___	3/___	4/___	5/___	6/___	
Total Units								
Unsubsidized Market		22	67	23				112
Affordable Units								
Section 8 ___ % AMI								0
Section 236 ___ % AMI								0
Section 13A ___ % AMI								0
MRVP Project Based ___ % AMI								0
Low Income Housing Tax Credits ___ % AMI								0
Workforce Housing ___ % AMI								0
Other: _____ 80 % AMI		8	23	7				38
Other: _____ ___ % AMI								0
Other: _____ ___ % AMI								0
DMH/DDS 3% priority Units		2						2



Occupancy is usually based on two people per bedroom unless the square footage allows or requires otherwise. 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 of sharing. 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.

Massachusetts State Sanitary Code Minimum Square Footage Requirements

<u># Occupants</u>	<u>S.F. Per Bedroom*</u>	<u>Total Habitable Area*</u>
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.

[G] OCCUPANCY RESTRICTIONS (AGE/FAMILY STATUS)

The Development has been established as housing intended for older persons, and for which tenant selection and occupancy shall be restricted as permitted under exemptions provided under the Fair Housing Act, as amended (46 U.S.C. 3601 et seq.), and regulations promulgated thereto (24 CFR Part 100, Subpart E). **[indicate yes or no]:** NO

[If yes, complete below as applicable]

Housing provided under Federal or State Program specifically designed and operated to assist elderly persons (see 24 CFR 100.302)

The Development has adopted the HUD Title VI-D Elderly preference.

The number of units **set aside** at the Development for non-elderly disabled families is _____.

The Development has adopted the “near-elderly disabled family” preference.

OTHER: Specify Program and Restriction(s):

62 years of age and over - housing intended for, and solely occupied by, persons 62 years of age or older (see 24 CFR 100.303). If this designation is checked, the only persons eligible for occupancy of units in the Development are persons 62 years of age or older.



- 55 years of age and over – housing intended and operated for persons 55 years of age or older (see 24 CFR 100.304 et seq.). If this designation is checked, at least 80 percent of occupied units must be occupied by one person 55 years of age or older.
- All applicants for occupancy in the Development must be 55 years of age or older.
- At least one person in each applicant household for occupancy in the Development must be 55 years of age or older.
- Other (NOTE: attach policies and procedures specifying how minimum occupancy requirement will be maintained)

PREFERENCES (MASSHOUSING STATUTORY, SECTION 236 PROGRAM AND OWNER-ADOPTED PREFERENCES)

The Agent shall inform each applicant about available preferences, and provide an opportunity for each applicant to show that they qualify for available preferences.

1. Required MassHousing Preferences. The Agent shall apply preferences required under Section 7 of the MassHousing enabling statute (M.G.L. c. 23A App., Section 7) in determining the placement of an applicant on the waiting list. In applying such preferences, as more particularly defined in the TSP Reference Guide, the Agent shall use the following priority categories in descending order and shall document the sources of information obtained to verify qualification for preferences:

- (a) 1st Priority - Homelessness due to Displacement by Natural Forces.
- (b) 2nd Priority - Homelessness due to Displacement by Public Action (Urban Renewal).
- (c) 3rd Priority - Homelessness due to Displacement by Public Action (Sanitary Code Violations).
- (d) 4th Priority – Involuntary Displacement by Domestic Violence, Rape, Dating Violence, Sexual Assault or Stalking.

Note: The Larger Household Preference, as required by DHCD Guidelines for inclusion of affordable housing units in the Subsidized Housing Inventory (SHI), is omitted here from the list of required preferences. This is to avoid unnecessary confusion because, with the application of the Occupancy Standards set forth in Section F, units will be sized to applicant households in such a manner that all households eligible to occupy a particular unit size will be of the highest preference category specified in the DHCD Guidelines, thereby eliminating the need for such a preference.

- 2. HUD Section 236 Program - Required HUD Regulatory Preferences
[check as applicable - if checked, takes priority over any other preference set forth in the Plan]



The Development is receiving subsidy under the Section 236 Program, or otherwise remains subject to regulatory oversight under the Section 236 Program. Preference in the selection of applicants for a basic rent unit assisted under the Section 236 Program shall be given to applicants displaced as a result of:

- (i) government action, or
- (ii) a Presidentially-declared disaster.

The Development is also receiving Rental Assistance Payments, and the Agent shall apply secondary preferences (in descending order of priority), as follows:

- (i) Applicants eligible for Rental Assistance Payments;
- (ii) Applicants eligible to pay less than the Section 236 "market rent" approved for the Development; and
- (iii) Applicants with income sufficient to pay the Section 236 "market rent" approved for the Development.

3. Owner Adopted Preferences. The Agent shall apply Owner Adopted Preferences in determining the order of an applicant's placement on the waiting list as may be allowed under applicable program rules. Unless otherwise indicated below, such preferences are subordinate to the required preferences set forth above and shall be applied in descending order as set forth below. ***[check and complete, as applicable]***

(a) or applicants who seek relocation to avoid, remedy or address the harassment of a resident based on protected status, or the emergency transfer of a resident due to domestic violence, dating violence, sexual assault or stalking provided such applicants are: [check as appropriate]:

- current residents of housing either financed or administered by MassHousing;
- current residents of housing owned and operated by affiliates of the Owner and under control of the Agent;
- n/a – no limitation.

Documentation/Sources of Information required to Verify Qualification for Preference: The Agent shall obtain from the applicant such documentation as specified in 24 CFR 5.2007(b).

NOTE – No HUD approval required for this preference.

(b) Preference Description:

At initial rent up, a preference for Sunderland residents and Town employees will be given to 70% of the Affordable apartments (27)
Documentation/Sources of Information Required to Verify Qualification for Preference:

Sunderland residents and Town of Sunderland employees see Attachment F: Lotteries and Application Process



HUD Approval Required/Date Obtained: At initial rent up - N/A

(c) Preference Description:

Documentation/Sources of Information Required to Verify
Qualification for Preference:

HUD Approval Required/Date Obtained: _____

[I] INCOME TARGETING (PROJECT BASED SECTION 8 ONLY)
[check and complete, as applicable]

1. Applicability of Mandatory Income Targeting:

The Development contains ____ units receiving project-based Section 8 housing assistance payments, which are subject to Mandatory Income Targeting.

2. Allowance/Permission to Lease Assisted Units to Other than Very Low Income Families (check one):

The assisted units in the Development were available for occupancy under a Section 8 HAP Contract effective before October 1, 1981, and are being leased on or after that date, in which case the assisted units may be leased to families whose income exceeds very low income but does not exceed low income. Pursuant to the HAP Contract, best efforts shall be used to lease not less than (____%), or _____ [insert number of very low income units], of the assisted units to families whose income does not exceed very low income; the remaining (____%) or _____ [insert number of low income units] of the assisted units shall be available to families whose income does not exceed low income, subject at all times to Mandatory Income Targeting requirements above.

In accordance with 24 CFR 5.653(d)(3), the Development has received permission from HUD by letter dated _____ allowing the Development to lease up to _____% of the assisted units to low income tenants other than very low income families (attach approval letter), subject at all times to Mandatory Income Targeting requirements above.

The Development has not received permission from HUD to lease assisted units to low income tenants other than very low income families.

3. Method to Comply with Income Targeting Requirements (check one):



- Method 1 – Admit only extremely low-income families until the 40% target is met.
- Method 2 – Alternate between the first extremely low-income applicant on the waiting list and the applicant at the top of the waiting list.
- Method 3 – Alternate between the first extremely low-income applicant on the waiting list and the applicant at the top of the waiting list in groups of 10.
- Other - _____
_____ (specify methodology)

[J] INITIAL RENT-UP/LOTTERY OR USE OF EXISTING WAITING LIST

This Plan is authorized for use in the following *[check as applicable]*:

Initial Rent-up/Lottery. The selection of residents for initial rent-up of the Development following completion of construction, or the re-occupancy of a significant number of housing units following the substantial rehabilitation of a development, and requires a lottery to establish an initial Waiting List from which selection of the initial residents shall be made.

The lottery shall be conducted in accordance with any applicable state and federal guidelines for the administration of lotteries for multifamily affordable rental housing units, subject to applicable Fair Housing requirements, and with procedures developed by the Agent:

(if completed) attached hereto as Attachment F (Procedures for Housing Lottery) as reviewed and approved by MassHousing and/or HUD.

(if not completed) which shall be submitted to MassHousing for approval at least sixty (60) days prior to commencement of initial rent-up. These procedures, upon approval by MassHousing, shall be incorporated into this Plan as Attachment F (Procedures for Housing Lottery).

Use of Existing Waiting List. The selection of residents for housing units utilizing an established waiting list for the Development in place as of the date of this Plan. In the event that any new preferences or priorities are required or adopted under this Plan, the Agent shall promptly notify all applicants on the waiting list and allow them the opportunity to provide evidence that they qualify for such preferences or priorities.

[K] VACANCIES AND TRANSFERS OF EXISTING RESIDENTS

In filling vacant units, the Agent shall (*select one*):



- offer current residents from the internal waiting list, **prior to** applicants on the external waiting list, the option to relocate to another unit in the Development, provided such residents meet the conditions of transfer found in the TSP Reference Guide, Section H.2.
- offer current residents from the internal waiting list, on alternating basis with applicants on the external waiting list, the option to relocate to another unit in the Development, provided such residents meet the conditions of transfer found in the TSP Reference Guide, Section H.2.
- offer current residents from the internal waiting list, on a rotating basis of _____ for every _____ person on the external waiting list, the option to relocate to another unit in the Development, provided such residents meet the conditions of transfer found in the TSP Reference Guide, Section H.2.

Priority in transfers of existing residents shall be given, in the order specified below, to:

- (a) residents requesting a transfer due to a reasonable accommodation request for a specific unit type; and
- (b) residents who are victims of harassment based on protected status, and those in need of an emergency transfer due to domestic violence, dating violence, sexual assault or stalking.
- (c) (List Other)
- (d) (List Other)

NOTE: Applicants who are eligible for an Owner Adopted Preference under Section H.3 above based upon relocation to avoid, remedy or address the harassment of a resident based on protected status, or the emergency transfer of a resident due to domestic violence, dating violence, sexual assault or stalking will be given priority for the specific unit type requested over anyone on the internal transfer list (except transfers relating to reasonable accommodation), subject at all times to the availability of, and qualification for, occupancy at comparable level of support under the same or similar housing subsidy program.

Emergency Transfer Plan *[check as applicable]*:

- The Development includes Federally Assisted Housing units, Low-Income Housing Tax Credit units, or such other units subject to Violence Against Women Reauthorization Act of 2013 (42 U.S.C. 14043e-11) and regulations promulgated in accordance therewith at 24 CFR Part 5, Subpart L, and the Owner has adopted, as required or voluntarily, an Emergency Transfer Plan (Attachment G) which is substantially in the form of the HUD Model Emergency Transfer Plan or otherwise satisfies the requirements of 24 CFR 5.2005(e).

[L] ADDITIONAL POLICIES - USE OF PRIOR CRIMINAL HISTORY (OPTIONAL)

If checked, the Owner and Agent have adopted certain additional policies (Attachment H) relating to the receipt and use of prior criminal history in applicant screening, including the application of mitigating circumstances, in making determinations on suitability of applicants for tenancy. Such policies shall be applied by Agent, provided they are consistent with applicable law and do not alter or derogate from, the requirements of the Plan.

