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## **Tenant Selection Plan HUD Multifamily Housing Hamilton Grove Effective May 31, 2024**

### **PROGRAM ELIGIBILITY REQUIREMENTS**

Hamilton Grove is limited to applicants who are elderly (62 years or older) or persons with disabilities. Assistance in subsidized housing is restricted to U.S. citizens or nationals and non-citizens who have eligible immigration status as determined by HUD. All family members, regardless of age, must declare their citizenship or immigration status. Applicant who hold a non-citizen student visa are ineligible for assistance, as are any non-citizen family members living with the student. Non-citizen applicants will be required to submit evidence of eligible immigration status at the time of application and will be verified through the U.S. Immigration and Customs Enforcement, Systematic Alien Verification for Entitlements (SAVE) Program.

Each family member of an applicant's household, except those who do not claim to have eligible immigration status or persons who were 62 or older and whose initial determination of eligibility was prior to January 31, 2010, must disclose and provide documentation of Social Security Numbers (SSN) before the household may be housed.

If the applicant cannot provide any of the above, the owner/agent may accept self-certification of SSN and at least one third party document, such as a bank statement, utility or cell phone bill, benefit letter, etc., that contains the name of the individual. When none of the other accepted methods is available and if verifying an individual's SSN using this method, the owner/agent must document why the other SSN documentation was not available. If the resident's SSN becomes verified in EIV, then no further verification is required. If the resident's SSN fails the SSA identity match, then the owner/agent must obtain a valid SSN card issued by the SSA or an original document issued by a federal or state government agency that contains the name of the individual and the SSN of the individual, along with other identifying information of the individual.

All SSNs for an applicant's household must be verified using appropriate documentation before the household can be admitted to the project. However, applicants do not need to disclose their SSN in order to be placed on the waiting list. The resident family's assistance must be terminated if they fail to provide the required documentation. SSNs will be verified through the Enterprise Income Verification (EIV) system within 90 days of move-in.

All family members who are 18 years or older are required to sign consent and verification forms. All information reported by the family is subject to verification.

The unit must be the family's sole residence. The owner must not provide assistance to applicants who will maintain a residence in addition to the HUD assisted unit. Under no circumstances may any tenant benefit for more than one subsidy. When processing the application, the owner will conduct an Existing Tenant Search through the EIV system to verify that the applicants and/or other household members are not currently residing in subsidized housing.

Applicants must agree to pay the rent required by the program under which they will receive assistance.

Applicants' gross income must not exceed the HUD established income limits for the property. Income eligible applicants must also need the assistance; the amount the family would be required to pay using the applicable HUD rent formula must be less than the Gross Rent for the unit.

## **INCOME ELIGIBILITY REQUIREMENTS**

HUD establishes and publishes income limits annually based on the family size for each county in the United States based on the median income of the geographic area. The family's annual income must not exceed program income limits. Income limits for the property are listed below:

Very low-income limit	50% of area median income
Extremely low-income limit	30% of area median income

The NHA must make at least 40% of the assisted units that become available each year (the project's fiscal year) available for families whose income do not exceed 30% of Area Median Income (extremely low-income) at the time of admission. If the owner actively marketed at least 40% of the annually available units to extremely low-income families, but was unable to fill all of the units with families meeting the requirement, the owner is permitted to rent to other eligible families after a reasonable marketing period has expired.

Owners must deny admission of an applicant if they are determined to not meet the requirements of the asset limitation. A family is out of compliance with the asset limitation if they have either of the following:

- Net family assets that exceed \$100,000, as adjusted annually for inflation. The NHA may accept a declaration from the family that their net assets do not exceed \$50,000 as adjusted for inflation without needing to further verify that declaration. For assets disposed of for less than fair market value during the two years proceeding the date of application for the program or reexamination, as applicable, the difference in value between the consideration received and the fair market value must be included in net family assets.
- Real property that is suitable for occupancy. Real property means, "real property as provided under the state law in which the property is located." Families are out of compliance if they have a present ownership interest in, a legal right to reside in, and the effective legal authority to sell a property (based on the laws of the state or locality in which the property is located) that is suitable for occupancy by the family member as a residence. In determining whether the family owns real property that would make them out of compliance, the NHA may rely upon a self-certification, both at the time of admission and at reexamination, from the family stating

that they do not have any present ownership interest in any real property. If family owns real property, the NHA must seek third-party verification of the family's legal right to reside in the property, the effective legal authority to sell the property, and whether the property is suitable for occupancy by the family as a residence.

## **OCCUPANCY STANDARDS**

Unit Size	Minimum Occupants	Maximum Occupants
0 Bedrooms	1	1
1 Bedroom	1	2
2 Bedroom	1	3

A single person cannot occupy a unit with two or more bedrooms unless one of the following applies:

1. A person with a disability who needs the larger unit as a reasonable accommodation.
2. A displaced person when no appropriately sized unit is available.
3. An elderly person who has a verifiable need for a larger unit.
4. A remaining family member of a resident family when no appropriately sized unit is available.

A smaller unit size may be assigned upon request; only if occupancy of the smaller unit will not cause serious overcrowding and will not conflict with local codes.

A larger unit size may be assigned upon request if one of the following conditions exists:

1. No eligible family in need of the larger unit is available to move into the unit within 60 days, the property has the proper size unit for the family but it is not currently available, and the family agrees in writing to move at its own expense when a proper size unit becomes available.
2. The family needs a larger unit as a reasonable accommodation for a family member who is a person with a disability.

If a family, based on the number of members, would qualify for more than one unit size, the owner must allow the family to choose which unit size they prefer.

## **SCREENING FOR SUITABILITY**

In selecting tenants under the Plan, the NHA shall consider the essential requirements of tenancy and determine whether an applicant should be rejected for failing to meet such requirements. Rejection of an applicant is appropriate where the NHA has a reasonable basis to believe that the applicant cannot meet the essential requirements of tenancy, which may be summarized as:

- (a) to pay rent and other charges under the lease in a timely manner;
- (b) to care for and avoid damaging the unit and common areas, to use facilities and equipment in a reasonable way, and to not create health or safety hazards;
- (c) not to interfere with the rights and enjoyment of others and not to damage the property of others;
- (d) not to engage in any activity that threatens the health, safety or right to peaceful enjoyment of other residents or staff, not to engage in activity on or near the premises that involves illegal

- use of controlled substances or weapons, and not to engage in any criminal activity on or off the premises that would be detrimental to the housing should it occur on the premises; and
- (e) to comply with necessary and reasonable rules and program requirements of the NHA

The NHA shall apply the Screening Criteria uniformly to all applicants to prevent discrimination and avoid fair housing violations. The costs of screening shall not be charged to the applicant, but shall be borne by the Development as an operating expense.

In carrying out the selection of tenants under the Plan, the NHA must consider mitigating factors that rebut the presumption that an applicant shall be unable to meet the requirements of tenancy. Mitigating factors may include a showing of rehabilitation or rehabilitating efforts and must be balanced against the potentially disqualifying behavior or circumstances. In considering both the disqualifying behavior and mitigating factors, the NHA shall determine if there is a reasonable risk that the applicant shall be unable to meet the essential requirements of tenancy.

Among the factors that should be considered are:

- the severity of the potentially disqualifying conduct;
- the amount of time that has elapsed since the occurrence of such conduct;
- the degree of danger, if any, to the health, safety and security of others or to the security of the property of others or to the physical conditions of the Development and its common areas if the conduct recurred;
- the disruption, inconvenience, or financial impact that recurrence would cause the housing provider; and
- the likelihood that the applicant's behavior will be substantially improved in the future.

In general, the greater degree of danger to the health, safety and security of others or to the security of property of others or the physical condition of the housing, the greater must be the strength of showing that a recurrence of the behavior which led to an initial determination that the applicant would not be able to meet the essential requirements of tenancy will not occur in the future.

## **VAWA PROTECTIONS**

Pursuant to the Violence Against Women Act (42 U.S.C. 1437f and 42 U.S.C. 1437d) and regulations promulgated in accordance therewith at 24 CFR Part 5, Subpart L, admission to the development shall not be denied on the basis that the applicant or household member is or has been a victim of domestic violence, dating violence or stalking, as defined in the aforementioned regulations, if the applicant or household member otherwise qualifies for admission.

- The NHA may not consider incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy or occupancy of a victim who is protected from acts under the domestic or family violence laws of the jurisdiction.
- The NHA may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse.
- The NHA may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91066, or other documentation as noted on the

certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

## **APPLICANT SCREENING CRITERIA**

To obtain information about an applicant's ability to meet the essential requirements of tenancy under the Screening Criteria, the NHA shall secure background information as follows:

- (a) **Record of Prior Criminal History.** In gathering such record of prior criminal history, the NHA may obtain Criminal Offender Record Information (CORI) reports as part of the tenant selection process, but access and use of the CORI reports are subject to the provisions of 803 CMR 2.00 et seq. The NHA should ensure that none of the information obtained is collected or disseminated in violation of state or federal law.

*Note: The same criteria regarding criminal history applies to live-in aides also.*

Any household member has been evicted from Federally-assisted housing for drug-related criminal activity, for three (3) years from the date of eviction. If the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program or circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household) the Owner may, but is not required to, admit the household.

Any household member is currently engaging in illegal drug use.

The Owner determines that there is reasonable cause to believe that a household member's illegal use or a pattern of illegal use of a drug or alcohol may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. (Screening standards must be based on behavior, not the condition of alcoholism.)

Any member of the applicant's household has been convicted of the manufacture of methamphetamine on the premises of federally subsidized housing (lifetime).

Violent criminal activity which indicates a pattern of violence that may threaten the safety of residents or staff. Violent criminal activity *includes* sex crimes and crimes against children.

Any criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents, the owner or any employee who is involved in the housing operations.

Unlawfully obtaining government assistance.

- (b) **Sex Offender Registration Status.** The NHA shall obtain information necessary to determine if the applicant or any household member is subject to registration with the Massachusetts Sex Offender Registry Board, pursuant to M.G.L. c. 6 Section 178C et seq or a lifetime registration requirement under any state sex offender registration program. During the admissions screening process, the Owner must perform the necessary criminal history background checks in the state where the housing is located and in other states where the household members are known to have resided.

The NHA may verify the information provided by the applicant by searching the Dru Sjodin National Sex Offender Database (located at <http://www.nsopw.gov>) as recommended and in the manner set forth in HUD Notice H 2009-11.

- (c) Verification of Citizenship/Immigration status
- (d) Enterprise Income Verification (EIV) Existing Tenant Search

As required by HUD Notices H 09-20 and H 10-08, issued pursuant to 24CFR 5.233, the NHA shall conduct an Existing Tenant Search in EIV and use the information contained in the Existing Tenant Search Report to determine if the applicant or any applicant household members are currently receiving HUD housing assistance (i.e. residing at another HUD Multi-Family Housing or Public and Indian Housing (PIH) location).

- (e) Verification of income either from present employer, appropriate agency, financial institution, or other appropriate party.
- (f) Verification of a disability to determine whether a family or person meets the definition of disability used to determine eligibility for occupancy at the Development or for preferences or to identify applicant needs for features of accessible units or reasonable accommodations. The NHA may not specifically ask for or verify the nature and extent of the disability. There are ways to verify disability status without obtaining detailed information or information that must not be collected.

Verification of disability may be obtained through a third-party verification form sent by the NHA to an appropriate source of information, including, but not limited to, the individual's physician, care worker, social worker, psychiatrist, or the Veterans Administration. If a third-party form is used, it must be signed by the applicant authorizing the release of such information to the NHA. The form should provide the definitions of disability used to determine eligibility and rent, and should request that the source completing the form identify whether the applicant meets the definition. In this way, the NHA is not required to make any judgements about whether a condition is considered a disability, and shall not have obtained prohibited information.

Receipt of social security disability payments may be adequate verification of an individual's disability status for housing subsidy programs using the Social Security's definition for a person with disabilities

Mitigating circumstances shall be verified. The individual performing the verification must corroborate the reason given by the applicant for unacceptable tenancy-related behavior and indicate the good prospect for lease compliance in the future because the reason for the unacceptable behavior is either no longer in effect or is otherwise controlled.

- a) Alcohol or Substance Abuse. Where an applicant claims that prior unacceptable tenancy-related behavior resulted from alcohol abuse or use of illegal drugs, acceptable verification of mitigating circumstances would have to establish that:
  - (As applicable) There is no current illegal use, which includes activity within the last year, of controlled substances. If such use is documented, applicant must present evidence that such use has stopped and is unlikely to recur.

- (As applicable) There is no current abuse of alcohol, which includes abuse within the last year, and abuse is unlikely to recur.
  - During the period for which the applicant has claimed no current use, the applicant's behavior as a tenant must have been acceptable.
  - In any case of confirmed, continued, unacceptable tenancy-related behavior, despite the cessation of drugs or alcohol use, an applicant may be rejected.
- b) Credit. NHA may consider an applicant's credit history, but such information may only be used in lieu of rent history to determine an applicant's ability to pay rent when rental history is not available. Where bad credit is the basis for rejection, mitigating circumstances may include:
- A representative payer or some other reliable third party who would take written responsibility for payment;
  - Evidence that such poor credit was the result of a disability that is now under control; or
  - Evidence that credit problems were the result of other circumstances that no longer exist and there is some reason to believe that applicant will now pay rent promptly and in full.

The NHA shall have the right to request information reasonably needed to verify the mitigating circumstances, even if such information is of a confidential nature (e.g. verifications from medical professionals that provide confidential information.). If the applicant refuses to provide or give access to such further information the NHA may choose not to give further consideration to the mitigating circumstance.

All members of the household must be listed on the application form along with a list of all prior states of residence. In addition to the application form, the NHA shall also obtain the Applicant's consent to obtain third-party verifications or references. Household members 18 years or older, including any personal care attendant (PCA) or, any Live-in Aide, must sign a release to conduct criminal history references.

Failure to respond within 14 days to the NHA's requests for documentation or information to process the application shall result in rejection of the application. The NHA may make exceptions to the procedures described herein to take into account circumstances beyond the applicant's control, including medical problems or extreme weather conditions.

The NHA shall offer assistance to the applicant in completing the application, explain the tenant selection process, define preferences, and explain the verification process with respect to preferences.

It is the policy of the NHA to guard the privacy of individuals in accordance with the Federal Privacy Act of 1974 and the Massachusetts Privacy Act, and to ensure the protection of records maintained by the property concerning the applicants or tenants.

The NHA shall not disclose any personal information contained in its records to any persons or agencies other than HUD. MassHousing or other authorized government agencies unless the individual about whom information is requested has given written consent to such disclosure, or unless disclosure is otherwise in accordance with provisions of the state or federal privacy acts.

This privacy policy in no way limits the NHA's ability to collect such information as it may need to determine eligibility, compute rent, determine an applicant's suitability for tenancy, or to gather information to process reasonable accommodations requests under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the Fair Housing Act, and state law.

The above policies in no way limit the right or duty of the NHA to make abuse, neglect or other protective service or emergency reports. Additionally, such policies do not forbid management from sharing information in the public domain with relevant service or government agencies.

## **Screening for Eligibility of Students**

Applicant is not a single full-time student under the age of 24 without dependents. Veterans and persons with disabilities are exempt.

**Definitions: Full-Time Student** A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended.

If an applicant is being screened for a tax credit or new construction property and the household is determined to be ineligible for that property (e.g. over-income, student status, etc.), the applicant will be allowed to select another waitlist. The household will be placed on that waitlist based on the original application date and preference.

**Annual Income – Exclusions:** There are items not counted as income including several items excluded by federal law.

- All assistance received under 479B of the HEA is excluded from income. Other student financial assistance received by the student that, either by itself or in combination with HEA assistance, exceeds the actual covered costs is not excluded from income.
  - Actual covered costs include: tuition, books, supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, and fees required and charged to a student by an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20U.S.C. 1087uu)). For a student who is not the head of household, co-head, or spouse, actual covered costs also include the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.
- Earnings for each full-time student eighteen (18) years old or older (excluding the head of household, co-head of household and spouse).
- Earnings in excess of \$480 for each full time student 18 years old or older (excluding head of household, co-head or spouse)

## **PROCESSING OF APPLICATIONS**

In general, applications shall be processed in accordance with the following steps:

- a) **Receiving and Recording** - Upon receipt of an application to housing, the NHA shall indicate on the application the date and time received, either by using a date and time stamp, or by writing and initialing the date and time received.
- b) **Review for completeness** - Applications shall first be reviewed for completeness. Incomplete applications shall be rejected and returned to the applicant. Applications shall not be evaluated until all of the required information has been provided.
- c) **Preliminary determination of program ineligibility** - Completed applications shall be reviewed for income eligibility and compliance with any categorical eligibility requirements for the program, such as age or disability. Applications determined ineligible shall be rejected in accordance with procedures outlined herein.
- d) **Preliminary determination of program eligibility** - When there are more applicants on the waiting than units currently available, and the anticipated duration of the waiting list exceeds ninety days, the NHA shall make a preliminary determination of eligibility, based on the applicant's self-certified statement as to his or her income, assets, age, disability status, and



preference or priority status. Applicant shall be notified of the status of his/her application in accordance with procedures outlined herein.

- e) Waiting list placement - Once a fully completed application is determined to meet income eligibility requirements and the household composition is determined appropriate for a unit at the Development, the applicant shall be placed on the appropriate waiting list(s). Assignment to a position on the waiting list shall be based on the preliminary determination, and shall be formally verified as the applicant's name advances on the waiting list. However, if the anticipated duration on the waiting list is less than 90 days, formal verification shall be required immediately. The applicant shall be placed on the waiting list, by date of receipt of the completed application within the correct income category and then within the correct preference category as applicable. Applicants eligible for handicapped accessible units must be placed on lists for both accessible and standard units.
- f) Opening and closing the waiting list for the property
  - i. It is NHA's policy to encourage the participation and make the Hamilton Grove (HG) Program known and available to serve the needs of very low-income families.
  - ii. Outreach: On an as-needed basis, NHA will perform outreach to households that qualify for HG Program. Outreach may include print advertising and coordination with service providers such as community-based organizations, private housing owners, and public and private homeless shelter operators.
  - iii. Opening: The NHA will publicize the opening of the waitlist in a newspaper of general circulation and in minority media and electronically through NHA's website and will provide information to applicants/participants concerning the availability of housing and related services. Prior to opening any NHA waitlist, NHA will issue a public announcement, including the opening date for the waitlist, which will be placed in a local newspaper of general circulation, electronically through NHA's website, and in minority media. The announcement will include information on where and when applications will be taken, and if applicable, any limitations on who may apply. As a general rule, NHA will a date and time methodology.
  - iv. Closing: When NHA determines that HG waitlist contain an adequate pool of applicants for use of available program funding, the Director of Leased Housing or his/her designee may petition the Executive Director and the Board of Commissioners for permission to close the list for an undisclosed period of time. If approved, the Department shall close the list only after proper public notification in accordance with NHA's Equal Opportunity Housing Plan (EOHP).
- b. Formal verification - If, subsequent to the preliminary determination of eligibility, the NHA determines that the formal verification of income, assets, or claimed priority status differs from the applicant's self-certification, the applicant may be determined ineligible.

## **NOTICE OF DECISION OF APPLICATION**

The NHA shall send a written response to the applicant advising such applicant of the status of the application. The response shall be mailed not more than sixty days from the date of receipt of the

application. Alternate formats for responding to an applicant with a disability shall be provided upon applicant's request. If the NHA has not made a determination to reject the applicant, the written response shall include the status of the application with respect to:

- result of the preliminary determination of eligibility;
- position on the waiting list;
- SSN disclosure and verification requirements;
- estimate of the time it may take before the applicant will be offered assistance;
- notice that the applicant is responsible for reporting changes in address, phone number, and preference status;
- where applicable, the applicant's qualification for a preference(s) for admission; and
- a statement that the applicant has the right to meet with the NHA to discuss the determination made with respect to the application.

## **NOTIFICATION OF APPLICANT REJECTION**

If an applicant is denied admission to the property, they will receive a written notice stating the reason (s) for the rejection. The applicant has the right to respond in writing or request a meeting to dispute the rejection within 14 days of the notice. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process. If admission is denied because criminal background screening indicates the applicant provided false information; the entity making the determination must provide the subject of the record and the applicant a copy of the information the action is based upon. The subject of the record and the applicant has the opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.

## **PREFERENCES AND PRIORITIES**

Applicants with preferences are selected from the waiting list and receive an opportunity for an available unit earlier than those who do not have a preference. Preferences affect only the order of applicants on the waiting list. They do not make anyone eligible who was not otherwise eligible, and they do not change the NHA's right to apply or modify the tenant selection criteria found elsewhere in this plan.

### **Hamilton Grove:**

As among eligible applicants of appropriate bedroom size and family composition for the available dwelling units, the following order of preference is to be applied in selection of tenants who are otherwise eligible for assistance.

- (a) In accordance with the Housing and Community Development Act of 1992, 50% of the Newton Housing Authority's admissions in a year shall be selected in chronological order by date of their application from the applicants who at the time they are seeking housing assistance meet one of the Federal Preferences, (a) "Involuntarily Displaced", (b) "Living in Substandard Housing", or (c) "Paying More Than 50% of income for Rent." The Federal Preferences will not be treated in an aggregate manner, and will be ranked equally.

All other applicants will be considered "Standard Applicants."

- (b) The remaining 50% of annual placements will be selected from among otherwise

eligible “Standard Applicants” in chronological order by date that their application was submitted to the Newton Housing Authority after determining eligibility, and in accordance with the following local preferences.

- Preference One will be given to those applicants determined to be residing in Newton.
- Preference Two will be given to those applicants who are determined to have veteran status and are residing in Newton.

## UNIT TRANSFER PROCEDURE

Current tenants requiring a unit transfer for the following reasons will be given preference over applicants and those on the waiting list.

-A required unit transfer due to family size or changes in family composition. When an owner determines that a

transfer is required the tenant may remain in their current unit and pay the HUD-approved market rent or must move

within 30 days after notification that a unit of the required size

-A unit is available within the property.

-A unit transfer for a medical reason certified by a doctor or the need for an accessible unit.

Current tenants requesting a unit transfer for any other reason will be added to the waiting list of applicants provided there is no record of consistent late or unpaid rental obligations, no record of police activity and inspection of the tenant's current unit must indicate there is no damage to the property or poor housekeeping habits resulting in health or safety hazards.

## LIMITED ENGLISH PROFICIENCY (LEP)

For persons who do not speak English as their primary language and those who have a limited ability to speak, read, write, or understand English; we will make reasonable efforts to provide language assistance. We will arrange to provide forms relating to tenancy in a language that is understood by the individual. We will make every effort to obtain oral interpretation and written translation services if deemed necessary.

## NON-DISCRIMINATION

It is the policy of the NHA to promote equal opportunity and non-discrimination in compliance with, but not limited to, the federal and state constitutions and legislative enactments addressing discrimination in housing. These enactments include: The Fair Housing Amendments Act of 1988, 42 U.S.C.A. §§3601-3620, as modified by the Housing for Older Americans Act of 1995, 42 U.S.C.A §3607(b)(2)(C), Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A §794 et seq.. The Americans with Disabilities Act of 1990, 42 U.S.C.A. §§12101-12213, Title VI of the Civil Rights Act of 1964, 42 U.S.C.A §2000d, the Age Discrimination Act of 1975, 42 U.S.C.A. §§6101-6107, Executive Order 11,063, Chapter 151B of the Massachusetts General Laws, and the Massachusetts Equal Rights Law, M.G.L. c 93, §103. In furtherance of this policy:

In carrying out the Plan, the NHA shall not discriminate on the basis of race, color, creed, religion, national or ethnic origin, citizenship, ancestry, class, sex, sexual orientation, familial status, disability, military/veteran status, source of income, age or other basis prohibited by local, state or federal law in any aspect of tenant selection or matters related to continued occupancy. The NHA 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.

### Modification of Tenant Selection Regulations

The NHA acknowledges that HUD or MassHousing may, from time to time, modify the requirements of their respective tenant selection regulations or policies. The NHA agrees that, upon reasonable notice, the NHA shall amend the Plan to satisfy such changes.