

# Ehr-Dale Heights

1 William James Dr.  
Churchville, NY 14428  
Office: (585) 293-2980 Fax: (585) 293-9102  
E-mail: [ehr.daleheights@dor.org](mailto:ehr.daleheights@dor.org)  
TTY: 1-800-662-1220

Dear Applicant:

Thank you for your interest in Ehr-Dale Heights! In response to your inquiry, please find enclosed an application for housing, program information sheet, tenant selection procedures and notice of occupancy rights under the Violence Against Women Act and Certification Form HUD-5382.

Ehr-Dale Heights is a rental community for Seniors 62+ or disabled individuals. The property consists of one-bedroom apartments located in Churchville. The buildings have intercom access only. Heat and hot water are included in the rent. Residents of our community have access to an on-site laundry facility and community room.

Eligibility for housing at Ehr-Dale Heights is determined by income and criminal background checks. You have the right to review, contest and explain the results of a background check.

If you or anyone in your household is a person with disabilities, and you require specific accommodation to fully utilize our facility, please submit your request in writing and attach to your completed application.

Please note that to promote a healthy environment for both residents and staff, our community and apartments are **smoke-free**.

For your application to be accepted, all sections must be fully completed and all household members older than 18 years of age must sign the application. You may return the application by mail or in person to the address above.

Please note that it is the applicant's responsibility to inform us in writing of any change of address, phone number, household composition, or income. If we are unable to contact you regarding your application, it will be removed from the waiting list.



## PROGRAM INFORMATION SHEET

### Ehr-Dale Heights Churchville, New York 14428

Welcome to Ehr-Dale Heights, professionally managed by Providence Housing Development Corporation. Our community is operated under the USDA Rural Development Program, Low-Income Housing Tax Credit Program (LIHTC), within Section 42 of the Internal Revenue Code, and the Housing Trust Fund (HTF) Program. All units come with rental assistance. These programs are designated to facilitate the housing needs of moderate to low-income households. Please review the enclosed documentation regarding qualifications and application.

Residency in all the apartments is limited to households having moderate to low incomes. In addition to standard wages, income includes monies received from many sources such as alimony, pensions, social security, etc. Ehr-Dale Heights will serve several income groups. Listed below are the current (2023) maximum allowable incomes, by household size. The income limits are updated and published annually by the U.S. Department of HUD.

#### **30% Limits** (Gross Income cannot exceed)

<b>1 person</b>	<b>2 person</b>
\$20,700	\$23,640

#### **40% Limits** (Gross Income cannot exceed)

<b>1 person</b>	<b>2 person</b>
\$27,600	\$31,520

#### **50% Limits** (Gross Income cannot exceed)

<b>1 person</b>	<b>2 person</b>
\$34,500	\$39,400

#### **60% Limits** (Gross Income cannot exceed)

<b>1 person</b>	<b>2 person</b>
\$41,400	\$47,280

#### **RD USDA Limits** (Gross Income cannot exceed)

<b>1 person</b>	<b>2 person</b>
\$31,400	\$35,900

<b>Unit Size</b>	<b>Occupancy</b>	<b># of Units</b>	<b>Rent</b>
1 bedroom	Min. 1/Max. 2	33	The lesser of \$770 or 30% of adjusted gross income.

- Tenant is responsible for payment of electric bills for their apartment.
- All information on income and assets provided by applicants must be verified prior to occupancy. This qualification and certification process must also be completed annually upon renewal.
- Security deposit is equal to one month's rent.
- One cat or dog under 25 pounds allowed per apartment. Service animals greater than 25 pounds for people with disabilities are accepted.
- This is a non-smoking community. Smoking is not allowed in any apartment or common areas or within 50 feet of the buildings.

<p style="text-align: center;"><b>Ehr-Dale Heights</b> <b>TENANT SELECTION PROCEDURES</b></p>
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1. Selection Process: Applicants will be selected in chronological order, according to their income with applicants having very low income first, then low income, then moderate income. Applications will be available by mail by calling (585) 293-2980 or may be picked up at the following locations:

Providence Housing Development Corporation  
1150 Buffalo Road,  
Rochester, New York 14624

Ehr-Dale Heights  
1 William James Dr.  
Churchville, New York 14428

2. Tenant eligibility will be determined through proof of age, income certification, criminal record checks and additional requirements as required by the designated project or funders. When filling a vacancy in a specially designated “handicap” unit or “hearing/visually impaired” unit, preference will be given to applicants who require the use of the special design features of that unit. You have the right to review, contest and explain results of a background check.
3. Two (2) units will be fully accessible for persons who have mobility impairment.
4. All applicants will be rejected from consideration if the applicant was convicted for producing methamphetamine in the home or the applicant is a lifetime registrant on the Sex Offender Registry. An applicant may be ineligible because family composition does not meet the occupancy guidelines established.

Applicants with a criminal record for offenses that involved physical danger or violence to persons or property or that adversely affected the health, safety and welfare of other people will not automatically be denied. Management will complete an individualized assessment according to NYS Homes and Community Renewal guidelines. The assessment will allow for applicants to review, contest, and explain the information contained in the criminal record check and to present evidence of rehabilitation. Applicants with a criminal record will be provided with the Know Your Rights materials at the time more information is requested and in the event of a rejection.

If an applicant is found to be ineligible, the Property Manager will promptly notify the applicant in writing and offer the opportunity to request a meeting with management to discuss such notice. The meeting to review the applicant’s response will be conducted by the Property Manager or his/her representative. Any reply and final response will be kept in the application file.

## **Ehr-Dale Heights**

### **Notice of Occupancy Rights under the Violence Against Women Act<sup>1</sup>**

#### **To all Tenants and Applicants**

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.<sup>2</sup> The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that **Housing Trust Fund, Low Income Housing Tax Credit Program** is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”

#### **Protections for Applicants**

If you otherwise qualify for assistance under **Housing Trust Fund, Low Income Housing Tax Credit Program**, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

#### **Protections for Tenants**

If you are receiving assistance under **Housing Trust Fund, Low Income Housing Tax Credit Program**, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under **Housing Trust Fund, Low Income Housing Tax Credit Program** solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

#### **Removing the Abuser or Perpetrator from the Household**

Ehr-Dale Heights may divide (bifurcate) your lease in order to evict or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If Ehr-Dale Heights chooses to remove the abuser or perpetrator, Ehr-Dale Heights may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, Ehr-Dale Heights must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA or find alternative housing.

In removing the abuser or perpetrator from the household, Ehr-Dale Heights must follow Federal, State, and local eviction procedures. To divide a lease, Ehr-Dale Heights may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

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<sup>1</sup> Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

<sup>2</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

## Moving to Another Unit

Upon your request, Ehr-Dale Heights may permit you to move to another unit, subject to the availability of other units, and keep your assistance. To approve a request, Ehr-Dale Heights may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

**(1) You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider, Ehr-Dale Heights does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.

**(2) You expressly request the emergency transfer.** Your housing provider may choose to require that you submit a form or may accept another written or oral request.

**(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer, you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

Ehr-Dale Heights will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

Ehr-Dale Heights emergency transfer plan provides further information on emergency transfers, and Ehr-Dale Heights must make a copy of its emergency transfer plan available to you if you ask to see it.

## Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking

Ehr-Dale Heights can, but is not required to, ask you to provide documentation to “certify” that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from Ehr-Dale Heights must be in writing, and Ehr-Dale Heights must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. Ehr-Dale Heights may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to Ehr-Dale Heights as documentation. It is your choice which of the following to submit if Ehr-Dale Heights asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by Ehr-Dale Heights with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, “professional”) from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.
- Any other statement or evidence that Ehr-Dale Heights has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, Ehr-Dale Heights does not have to provide you with the protections contained in this notice.

If Ehr-Dale Heights receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), Ehr-Dale Heights has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, Ehr-Dale Heights does not have to provide you with the protections contained in this notice.

### **Confidentiality**

Ehr-Dale Heights must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

Ehr-Dale Heights must not allow any individual administering assistance or other services on behalf of Ehr-Dale Heights (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

Ehr-Dale Heights must not enter your information into any shared database or disclose your information to any other entity or individual. Ehr-Dale Heights, however, may disclose the information provided if:

- You give written permission to Ehr-Dale Heights to release the information on a time limited basis.
- Ehr-Dale Heights needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires Ehr-Dale Heights or your landlord to release the information.

VAWA does not limit Ehr-Dale Heights duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

### **Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated**

You can be evicted, and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, Ehr-Dale Heights cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted, and your assistance terminated, if Ehr-Dale Heights can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

- 1) Would occur within an immediate time frame, and
- 2) Could result in death or serious bodily harm to other tenants or those who work on the property.

If Ehr-Dale Heights can demonstrate the above, Ehr-Dale Heights should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

### **Other Laws**

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

## **Non-Compliance with The Requirements of This Notice**

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with U.S. Department of HUD, Buffalo Multifamily Program Center, 465 Main Street, 2<sup>nd</sup> Floor, Buffalo, NY 14203, or by calling them at 716-551-5755.

## **For Additional Information**

You may view a copy of HUD's final VAWA rule at [www.federalregister.gov/documents/2016/11/16/2016-25888/violence-against-women-reauthorization-act-of-2013-implementation-in-hud-housing-programs](http://www.federalregister.gov/documents/2016/11/16/2016-25888/violence-against-women-reauthorization-act-of-2013-implementation-in-hud-housing-programs)

Additionally, HP must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact U.S. Department of Hud at 716-551-5755.

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact Willow Domestic Violence Center at 585-222-7233 or 585-232-1741 (TTY).

For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault, you may contact RESTORE Sexual Assault Services at 585-546-2777.

Victims of stalking seeking help may contact The Center for Women and Gender at 585-295-3533.

**Attachment:** Certification form HUD-5382

**CERTIFICATION OF  
DOMESTIC VIOLENCE,  
DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING,  
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing  
and Urban Development**

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**Purpose of Form:** The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

**Use of This Optional Form:** If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

**Submission of Documentation:** The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.



**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Date the written request is received by victim: \_\_\_\_\_

2. Name of victim: \_\_\_\_\_

3. Your name (if different from victim's): \_\_\_\_\_

4. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_

5. Residence of victim: \_\_\_\_\_

6. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_

7. Relationship of the accused perpetrator to the victim: \_\_\_\_\_

8. Date(s) and times(s) of incident(s) (if known): \_\_\_\_\_

10. Location of incident(s): \_\_\_\_\_

In your own words, briefly describe the incident(s):

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Public Reporting Burden:** The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

## Know Your Rights: New York State's Anti-Discrimination Policy When Assessing Justice-Involved Applicants for State-Funded Housing

If you are applying for state-funded housing and have a history of involvement with the criminal justice system, you have rights and protections.

### There Are Only Two Mandatory Reasons That You Can Automatically Be Rejected:

1. Conviction for methamphetamine production in the home; and
2. Being a lifetime registrant on a state or federal Sex Offender database.

### You Cannot Be Rejected Based On:

1. All pending arrests (including those with adjournments in contemplation of dismissal (ACOD));
2. Arrest records that were resolved in your favor;
3. Convictions for offenses committed before you turned 18 years old;
4. Misdemeanor convictions that occurred more than 1 year ago;
5. Felony convictions that occurred more than 5 years ago;
6. Convictions resulting in incarceration/parole supervision, from which you were released more than 1 year ago;
7. Convictions that did not involve physical violence or danger to persons or property, or did not affect the health, safety and welfare of others;
8. Convictions for which you have received a Certificate of Good Conduct or Certificate of Relief from Disabilities that is permanent and covers housing.
9. Youthful offender adjudications;
10. Convictions for violations sealed pursuant to Section 160.55 of New York State Criminal Procedure Law;
11. Convictions sealed pursuant to Section 160.58 or 160.59 of New York State Criminal Procedure Law;
12. Convictions that were excused by pardon, overturned on appeal or vacated;

### You Cannot Be Asked About 9-12 Above

If a housing provider asks you about them or any pending arrest with an ACOD, you may answer as if the protected arrest, conviction or adjudication never occurred. If you believe you have been discriminated against based on these protections, file a complaint with the New York State Division of Human Rights: <https://dhr.ny.gov/complaint>

### You Must be Given 14 Days to Provide Additional Information Before Any Rejection

You must be contacted and provided 14 business days to provide additional relevant information including:

1. How much time has passed since the conviction(s)?
2. How old were you at the time of the conviction(s)?
3. How serious was the conviction(s)?
4. Evidence about your rehabilitation, including treatment programs, volunteer work, paid employment, etc. since your conviction(s)
5. Were there mitigating circumstances surrounding the offense that reduce the severity of the offense?

If you were not given an opportunity to answer these questions, or if you feel the housing provider did not properly evaluate your application and wrongfully denied you housing, contact New York State Homes and Community Renewal's Fair and Equitable Housing Office at [feho@hcr.ny.gov](mailto:feho@hcr.ny.gov) for assistance. More information is available here: <https://hcr.ny.gov/marketing-plans-policies#credit-and-justice-involvement--assessment-policies>

## **NOTICE DISCLOSING TENANTS' RIGHTS TO REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES**

### **Reasonable Accommodations**

The New York State Human Rights Law requires housing providers to make reasonable accommodations or modifications to a building or living space to meet the needs of people with disabilities. For example, if you have a physical, mental, or medical impairment, you can ask your housing provider to make the common areas of your building accessible, or to change certain policies to meet your needs.

To request a reasonable accommodation, you should contact your property manager by calling **(585) 293-9280** or by e-mailing **ehr.daleheights@dor.org**\*. You will need to inform your housing provider that you have a disability or health problem that interferes with your use of housing, and that your request for accommodation may be necessary to provide you equal access and opportunity to use and enjoy your housing or the amenities and services normally offered by your housing provider. A housing provider may request medical information, when necessary to support that there is a covered disability and that the need for the accommodation is disability related.

If you believe that you have been denied a reasonable accommodation for your disability, or that you were denied housing or retaliated against because you requested a reasonable accommodation, you can file a complaint with the New York State Division of Human Rights as described at the end of this notice. Specifically, if you have a physical, mental, or medical impairment, you can request.

Permission to change the interior of your housing unit to make it accessible ( however, you are required to pay for these modifications, and in the case of a rental your housing provider may require that you restore the unit to its original condition when you move out); Changes to your housing provider's rules, policies, practices, or services; Changes to common areas of the building so you have an equal opportunity to use the building. The New York State Human Rights Law requires housing providers to pay for reasonable modifications to common use areas. Examples of reasonable modifications and accommodations that may be requested under the New York State Human Rights Law include:

- If you have a mobility impairment, your housing provider may be required to provide you with a ramp or other reasonable means to permit you to enter and exit the building.
- If your healthcare provider provides documentation that having an animal will assist with your disability, you should be permitted to have the animal in your home despite a "no pet" rule.
- If you need grab bars in your bathroom, you can request permission to install them at your own expense. If your housing was built for first occupancy after March 13, 1991 and the walls need to be reinforced for grab bars, your housing provider must pay for that to be done.

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• The Notice must include contact information when provided under 466.15(d)(1), above. However, when being provided under (d)(2) and when this information is not known, the sentence may read "To request reasonable accommodation, you should contact your property manager."

† This Notice provides information about your rights under the New York State Human Rights Law, which applies to persons residing anywhere in New York State. Local laws may provide protections in addition to those described in this Notice, but local laws cannot decrease your protections.

- If you have an impairment that requires a parking space close to your unit, you can request your housing provider to provide you with that parking space or place you at the top of a waiting list if no adjacent spot is available.
- If you have a visual impairment and require printed notices in an alternative format such as large print font or need notices to be made available to you electronically, you can request that accommodation from your landlord.

### **Required Accessibility Standards**

All buildings constructed for use after March 13, 1991, are required to meet the following standards:

- Public and common areas must be readily accessible to and usable by persons with disabilities.
- All doors must be sufficiently wide to allow passage by persons in wheelchairs; and
- All multi-family buildings must contain accessible passageways, fixtures, outlets, the most, bathrooms, and kitchens.

If you believe that your building does not meet the required accessibility standards, you can file a complaint with the New York State Division of Human Rights.

### **How to File a Complaint**

A complaint must be filed with the Division within one year of the alleged discriminatory act or in court within three years of the alleged discriminatory act. You can find more information on your rights, and on the procedures for filing a complaint, by going to [www.dhr.ny.gov](http://www.dhr.ny.gov) or by calling 1-888-392-3644. You can obtain a complaint form on the website, or one can be e-mailed or mailed to you. You can also call or e-mail a Division Regional office. The regional offices are listed on the website.



# Rural Housing and Community Programs

## Things You Should Know About USDA Rural Rental Housing

***Don't risk losing your chances for federally assisted housing by providing false, incomplete, or inaccurate information on your application or recertification.***

### ***Penalties for Committing Fraud***

You must provide information about your household status and income when you apply for assisted housing in apartments financed by the U.S. Department of Agriculture (USDA). USDA places a high priority on preventing fraud. If you deliberately omit information or give false information to the management company on your application or recertification forms, you may be:

- Evicted from your apartment,
- Required to repay all the extra rental assistance you received based on faulty information,
- Fined,
- Put in prison and/or barred from receiving future assistance.

Your State and local governments also may have laws that allow them to impose other penalties for fraud in addition to the ones listed here.

### ***How To Complete Your Application***

When you meet with the landlord to complete your application, you must provide information about:

- **All Household Income.** List all sources of money that you receive. If any other adults will be living with you in the apartment, you must list all their income. Sources of money include:
  - Wages, unemployment and disability compensation, welfare payments, alimony, Social Security benefits, pensions, etc.
  - Any money you receive on behalf of your children, such as child support, children's Social Security, etc.
  - Income from assets such as interest from a savings account, credit union, certificate of deposit, stock dividends, etc.
  - Any income you expect to receive, such as a pay raise or bonus.
- **All Household Assets.** List all assets that you have. If any other adults will be living with you, you must also list all their assets. Assets include:
  - Bank accounts, savings bonds, certificates of deposit, stocks, real estate, etc.
  - Any business or asset you sold in the last 2 years for less than its full value, such as selling your home to your children.

- **All Household Members.** List the names of all the people, including adults and children, who will live with you in the apartment, whether they are related to you or not.

### ***Ask for Help if You Need It***

If you are having problems understanding any part of the application, let the landlord know and ask for help with any questions you may have. The landlord is trained to help you with the application process.

### ***Before You Sign the Application***

- Make sure that you read the entire application and understand everything it says,
- Check it carefully to ensure that all the questions have been answered completely and accurately,
- Don't sign it unless you are sure that there aren't any errors or missing information.

By signing the application and certification forms, you are stating that they are complete to the best of your knowledge and belief. Signing a form when you know it contains misinformation is considered fraud.

- The management company will verify your information. USDA may conduct computer matches with other Federal, State, or private agencies to verify that the income you reported is correct,
- Ask for a copy of your signed application and keep a copy of it for your records.

### ***Tenant Recertification***

Residents in USDA-financed assisted housing must provide updated information to the management company at least once a year. Ask your landlord when you must recertify your income.

You must **immediately** report:

- Any changes in income of \$100 or more per month;
- Any changes in the number of household members.

For your annual recertification, you must report:

- All income changes, such as increases in pay or benefits, job change or job loss, loss of benefits, etc., for any adult household member;

- Any household member who has moved in or out;
- All assets that you or your adult housemates own, or any assets that were sold in the last 2 years for less than their full value.

## Avoid Fraud, Report Abuse

Prevent fraudulent schemes through these steps:

- Don't pay any money to file your application;
- Don't pay any money to move up on the waiting list;
- Don't pay for anything not covered by your lease;
- Get receipts for any money you do pay;
- Get a written explanation for any money you are required to pay besides rent, such as maintenance charges.

**Report Abuse:** If you know anyone who has falsified an application, or who tries to persuade you to make false statements, report him or her to the manager. If you cannot report to your manager, call your local or state USDA office at 1 (800) 670-6553, or write: USDA, STOP 0782, 1400 Independence Ave., SW, Washington, DC 20250.

## If You Disagree with a Decision

Tenants may file a grievance in writing with the complex owner in response to the owner's actions, or failure to act, that result in a denial, significant reduction, or termination of benefits. Grievances may also be filed when a tenant disputes the owner's notice of proposed adverse action.

### Notice of Adverse Action

The complex owner must notify tenants in writing about any proposed actions that may have adverse consequences, such as denial of occupancy and changes in the occupancy rules or lease. The written notice must give specific reasons for the proposed action and must also advise tenants of the "right to respond to the notice within 10 calendar days after the date of the notice" and of "the right to a hearing." Housing complexes in areas with a concentration of non-English-speaking people must send notices in English and in the majority non-English language.

### Grievance Process Overview

USDA believes that the best way to resolve grievances is through an informal meeting between tenants and the landlord or owner. Once the owner learns about a tenant grievance, the process should begin with an informal meeting between the two parties. Owners must offer to meet with tenants to discuss the grievance within 10 calendar days of receipt of the complaint. USDA encourages owners and tenants to try to reach a mutually satisfactory resolution to the problem at the meeting.

If the grievance is not resolved, the tenant must request a hearing within 10 days of receipt of the meeting findings. The parties will then select a hearing panel or hearing officer to govern the hearing. All parties are notified of the decision 10 days after the hearing.

### When a Grievance Is Legitimate

The landlord must determine if a grievance is within the established rules for the program. For example, "I want to file a complaint because the manager doesn't speak to me" is not a legitimate complaint. However, "I want to file a complaint because the manager isn't maintaining the property according to USDA guidelines" is a legitimate complaint. Below are examples of cases in which tenants may and may not file a complaint.

A complaint may not be filed with the owner/management if:	A complaint may be filed with the owner/management if:
USDA has authorized a proposed rent change.	There is a modification of the lease, or changes in the rules or rent that are not authorized by USDA.
A tenant believes that he/she has been discriminated against because of race, color, religion, national origin, sex, age, familial status, or disability. Discrimination complaints should be filed with USDA and/or the Department of U.S. Housing and Urban Development (HUD), not with the owner/management.	The owner or management fails to maintain the property in a decent, safe, and sanitary manner.
The complex has formed a tenant's association and all parties have agreed to use the association to settle grievances.	The owner violates a lease provision or occupancy rule.
USDA has required a change in the rules and proper notices have been given.	A tenant is denied admission to the complex.
The tenant is in violation of the lease and the result is termination of tenancy.	
There are disputes between tenants that do not involve the owner/management.	
Tenants are displaced or other adverse effects occur as a result of loan prepayment.	

PA 1998  
December 2008

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.



# Rental Application



Ehr-Dale Heights  
1 William James Dr.  
Churchville, New York 14428  
Phone: (585) 293-2980 Fax: (585) 293-9102  
TTY (800) 662-1220

**For Office Use Only:**  
Preference Eligibility: \_\_\_\_\_  
Unit size \_\_\_\_\_  
HCV \_\_\_\_\_

ALL HOUSEHOLD MEMBERS MUST BE LISTED ON THE APPLICATION. PLEASE PRINT ALL INFORMATION.

APPLICANT CONTACT INFORMATION			
APPLICANT NAME		CURRENT STREET ADDRESS	
HOME PHONE (     )		CITY, STATE, ZIP	
MOBILE PHONE (     )	WORK PHONE		CURRENT MONTHLY RENT
REASON FOR MOVING		EMAIL	
HOW DID YOU HEAR ABOUT US?			
CURRENT LANDLORD NAME AND ADDRESS, CITY, STATE, ZIP CODE			

HOUSEHOLD INFORMATION
Please list all persons who will live in the apartment or join the household in the next 12 months, their relationship to the head of household, social security number, date of birth and full-time student status for any member who is currently enrolled, expects to become enrolled, or was previously enrolled for any part of 5 months in the current calendar year. Include Grades K-12, College, University, Trade and Mechanical Schools.

HEAD OF HOUSEHOLD INFORMATION			
NAME (FIRST MIDDLE LAST)		RELATIONSHIP TO THE HEAD OF HOUSEHOLD	SOCIAL SECURITY/ITIN #
		<b>HEAD</b>	
ALL STATES LIVED:	MARITAL STATUS	STUDENT <input type="checkbox"/> YES <input type="checkbox"/> NO	BIRTHDATE (MM/DD/YY)

FOR ADDITIONAL HOUSEHOLD MEMBERS: Please complete each of the following sections for each individual household member.

NAME (FIRST MIDDLE LAST)		RELATIONSHIP TO THE HEAD OF HOUSEHOLD	SOCIAL SECURITY/ITIN #
ALL STATES LIVED:	MARITAL STATUS	STUDENT <input type="checkbox"/> YES <input type="checkbox"/> NO	BIRTHDATE (MM/DD/YY)

## Additional Information

What size apartment are you applying for?	Check all that apply: <input type="checkbox"/> 1 Bedroom	
Would you benefit from special features of an accessible apartment?*	<input type="checkbox"/> Wheelchair Accessible <input type="checkbox"/> Hearing Impaired <input type="checkbox"/> Visually Impaired	<input type="checkbox"/> YES <input type="checkbox"/> NO
Would you consider yourself or another adult household member to be frail elderly?		<input type="checkbox"/> YES <input type="checkbox"/> NO
Are you or another adult household member a veteran?***		<input type="checkbox"/> YES <input type="checkbox"/> NO
Do you own a pet? If yes, list type and weight: _____		<input type="checkbox"/> YES <input type="checkbox"/> NO
Do you own a service animal or emotional support animal? If yes, you will be required to request a reasonable accommodation.		<input type="checkbox"/> YES <input type="checkbox"/> NO
Has any household member been of a felony in the past 5 years?***	If yes, date of conviction: _____	<input type="checkbox"/> YES <input type="checkbox"/> NO
Has any household member been convicted for manufacturing methamphetamine in the home?		<input type="checkbox"/> YES <input type="checkbox"/> NO
Is any household member subject to any state lifetime sex offender registration requirement?		<input type="checkbox"/> YES <input type="checkbox"/> NO
If applicable, do all the children in the household live with you 50% or more of the time?		<input type="checkbox"/> YES <input type="checkbox"/> NO
Will you or any adult household member require a live-in care attendant to live independently?		<input type="checkbox"/> YES <input type="checkbox"/> NO
Is your reason for moving due to a domestic violence, dating violence, sexual assault, or stalking situation?		<input type="checkbox"/> YES <input type="checkbox"/> NO
Does anyone in the household have a housing choice voucher or is receiving housing assistance from another source?		<input type="checkbox"/> YES <input type="checkbox"/> NO

\*If you or any member of your household is disabled and require an accommodation to fully use our property, please complete a reasonable accommodation request (forms can be obtained from the rental office). NYS Human Rights Law defines disability as (i) physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic technique, or; (ii) a record of such an impairment, or; (iii) a condition regarded by others as such an impairment.

\*\*Veterans or their spouse, which means those who have served in the armed forces of the United States: (i) for a period of at least 6 months (or any shorter period due to injury incurred in such service) and have been thereafter discharged or released therefrom under conditions other than dishonorable, or (ii) who have been discharged or released from service in the armed forces of the United States on the basis of their sexual orientation, gender identity or expression, consensual sexual conduct or consensual acts relating to sexual orientation, or the disclosure of statements, conduct, or acts by the individual that were prohibited by the armed forces of the United States at the time of discharge, or (iii) are the surviving spouses of either categories (i) or (ii).

\*\*\*Applicants with a criminal record for offenses that involved physical danger or violence to persons or property or that adversely affected the health, safety and welfare of other people will not automatically be denied. Management will complete an individualized assessment according to NYS Homes and Community Renewal ([hcr.ny.gov](http://hcr.ny.gov)) guidelines. The assessment will allow for applicants to review, contest and explain the information contained in the criminal record check and to present evidence of rehabilitation. Applicants with a criminal record will be provided with the Know Your Rights materials at the time more information is requested and in the event of a rejection.



## Income & Assets

Include income and assets for **ALL** household members, including children's income and assets.

**LIST ALL INCOME SOURCES:** This includes, but is not limited to Full and or Part-time Employment, Self-Employment, Welfare Agencies, Social Security, Pensions, SSI, SSD, SSP, Armed Forces/Reserves, Unemployment, Disability, Child Care, Spousal Maintenance (Alimony), Child Support, Student Grants/Stipends, Rental Income, Gift Income, regular payouts from Annuities, 401Ks and IRAs

HOUSEHOLD MEMBER	INCOME SOURCE	MONTHLY GROSS PAYMENT
HOUSEHOLD MEMBER	INCOME SOURCE	MONTHLY GROSS PAYMENT
HOUSEHOLD MEMBER	INCOME SOURCE	MONTHLY GROSS PAYMENT

\* Attach pages as needed for additional sources of household member income.

**LIST ALL ASSETS:** This includes, but is not limited to, Accounts for Checking, Savings, Money Market, 529 (College Savings), UTMA's, CD's, Brokerage accounts, Stocks, Bonds, Retirement Accounts like IRA, Roth, Keogh, 401K and 403B, Annuities, Whole Life Insurance Policies, Funded/Pre-paid Debit Cards, and on-line accounts (PayPal, DraftKings, etc.).

Please check all assets that you have:

CHECKING SAVINGS CD STOCK RETIREMENT LIFE INSURANCE FUNDED DEBIT OTHER <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	TOTAL VALUE OF ALL ASSETS:	
DO YOU OWN REAL ESTATE?  <input type="checkbox"/> YES <input type="checkbox"/> NO	MARKET VALUE:	IF "OTHER" SELECTED ABOVE, PLEASE EXPLAIN:

**LIST ALL MEDICAL/CHILD CARE/HANDICAP ASSISTANCE EXPENSES:** A deduction is allowed for households whose, head or co-head is elderly, (62 or older), handicapped or disabled (regardless of age).

Are you or anyone in your household seeking this deduction?	<input type="checkbox"/> YES <input type="checkbox"/> NO	If yes, you must provide evidence in the form of a statement by a qualified individual. <b>The nature of a handicap or disability does not have to be disclosed.</b>												
<b><u>Medical Costs</u></b> Medicare Premiums	<b><u>Monthly Amount</u></b> \$ _____ \$ _____	<b><u>Handicap Assistance Expenses</u></b> *Complete only if handicap expenses allow a member of the household to work or attend school.												
<b><u>Medical Insurance Coverage</u></b> Insurer's Name: _____ Address: _____ _____ _____	<b><u>Monthly Amount</u></b> \$ _____ \$ _____	<table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;"><u>Type of Expense</u></th> <th style="text-align: left;"><u>Paid to Whom</u></th> <th style="text-align: left;"><u>Amount</u></th> <th style="text-align: left;"><u>How Often</u></th> </tr> <tr> <td>_____</td> <td>_____</td> <td>\$ _____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>\$ _____</td> <td>_____</td> </tr> </table>	<u>Type of Expense</u>	<u>Paid to Whom</u>	<u>Amount</u>	<u>How Often</u>	_____	_____	\$ _____	_____	_____	_____	\$ _____	_____
<u>Type of Expense</u>	<u>Paid to Whom</u>	<u>Amount</u>	<u>How Often</u>											
_____	_____	\$ _____	_____											
_____	_____	\$ _____	_____											
<b><u>Anticipated Medical/Drug/Prescription Costs</u></b> – "Not" Covered by insurance or Reimbursed.	<b><u>Monthly Amount</u></b> \$ _____ \$ _____ \$ _____ \$ _____	<b>Name and Address of all physicians you are seeing on a regular basis:</b> _____ _____ _____												
<b><u>Medical bills or outstanding costs "YOU" are making monthly payments for.</u></b> Payable to: _____	<b><u>Balance Due</u></b> \$ _____ <b><u>Monthly Payment</u></b> \$ _____ <b><u>Monthly Amount</u></b> \$ _____ \$ _____	Type (please explain): _____ Type (please explain): _____ Type (please explain): _____												
<b>Any other medical expenses?</b>	\$ _____ \$ _____													

## Signature

By signing this application below, I/We understand I/We am giving permission to obtain a Criminal Background/Sex Offender Check, Consumer Report (credit history) and other references deemed necessary. I/We understand that management is relying on this information to prove my household's eligibility for an apartment. I/We understand that I/We can provide management with proof that I/We have paid my rent in full and on time for the past 12 months, or evidence that I/We have a rental subsidy that pays the full rent, in lieu of management obtaining a Consumer Report. I/We understand that a personal interview must be held and all income and assets will be verified. I/We understand that the approval of my application is contingent upon meeting the properties tenant selection criteria and the Housing Program requirements. Applicant understands that if any information relied upon by management in approving this application is deemed to be incorrect or untrue, it will be considered a material breach of the Lease and the Owner may evict the Tenant from the premises and exercise any other remedies permitted by law. I/We also understand that such an action may result in criminal penalties. Submission of false statements are punishable under Federal Law and could result in the cancellation of

If accepted, I/We certify this apartment will be my sole residence. This application creates no obligation for the Owner or Applicant.

Head of Household: \_\_\_\_\_ Date: \_\_\_\_\_

Co-Head: \_\_\_\_\_ Date: \_\_\_\_\_

The following information is requested by the apartment owner to assure the Federal government that Federal Laws prohibiting discrimination against tenant applicants based on race, national origin, familial status, religion and sex are complied with. **You are not required to furnish this information but are encouraged to do so.** This information will not be used in evaluating your application or to discriminate against you in any way. However, if you choose not to furnish it, the owner is required to note the race/national origin and sex of individual applicants based on visual observation or surname.

**PLEASE CIRCLE ONE:** American Indian/Alaska Native      Asian      Black or African American  
Native Hawaiian or Pacific Islander      White

**PLEASE CIRCLE ETHNICITY:** Hispanic/Latino      Not Hispanic/Latino

**PLEASE CIRCLE ONE:** Male      Female

### FOR OFFICE USE ONLY

DATE RECEIVED	TIME RECEIVED AM PM	RECEIVED BY:
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This institution is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov)."