



TENANT SELECTION AND EVALUATION POLICIES  
FOR THE CANUTILLO PALMS APARTMENTS  
EFFECTIVE December 1, 2024

Canutillo Palms  
365 La Puesta  
El Paso, TX 79932  
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[leasing@tropicanaproperties.org](mailto:leasing@tropicanaproperties.org)

Contained in this packet are the Policies, Procedures and Documents that Tropicana Properties is required by applicable law to give to all Applicants upon request. Together with the Tenant Handbook delivered to tenants upon execution of a lease agreement, the policies and procedures in this packet constitute all of the policies and procedures of the Low-Income Housing Tax Credit properties managed by Tropicana Properties. All of the policies and procedures contained herein are effective on the date written on the first page of this packet and shall be placed in the file maintained by Tropicana Properties for each Applicant and/or Tenant.

**NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY, THE PROVISIONS IN THIS PARAGRAPH SHALL GOVERN OVER ANY CONFLICTING PROVISIONS SET FORTH HEREIN. TROPICANA PROPERTIES WILL COMPLY WITH STATE AND FEDERAL FAIR HOUSING AND ANTIDISCRIMINATION LAWS, INCLUDING, BUT NOT LIMITED TO, CONSIDERATION OF REASONABLE ACCOMMODATIONS REQUESTED TO COMPLETE THE APPLICATION PROCESS. ALL REQUESTS FOR REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES CAN BE MADE WITH THE ON-SITE MANAGER OR REGIONAL MANAGER FOR THE PROPERTY AT THE ADDRESS, TELEPHONE NUMBER OR ELECTRONIC MAIL ADDRESS SET FORTH ON THE FIRST PAGE OF THIS PACKET. TROPICANA PROPERTIES RESPONDS TO SUCH REQUESTS WITHIN FOURTEEN DAYS OF ITS RECEIPT OF THE REQUEST. TROPICANA PROPERTIES IS AN EQUAL OPPORTUNITY HOUSING PROVIDER; TROPICANA PROPERTIES DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, SEX, NATIONAL ORIGIN, RELIGION, DISABILITY, FAMILIAL STATUS, ACTUAL OR PERCEIVED SEXUAL ORIENTATION, GENDER IDENTITY OR MARITAL STATUS. ALL APPLICANTS WILL BE EVALUATED BASED UPON THE SCREENING CRITERIA SET FORTH IN THE TENANT SELECTION AND EVALUATION POLICIES SET FORTH BELOW, WHICH WILL BE APPLIED UNIFORMLY AND IN A MANNER CONSISTENT WITH APPLICABLE LAW, INCLUDING THE TEXAS AND FEDERAL FAIR HOUSING ACTS, THE VIOLENCE AGAINST WOMEN ACT, THE FEDERAL FAIR CREDIT REPORTING ACT, PROGRAM GUIDELINES UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM, AND THE RULES OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS.**

Thank you for applying to reside in our housing community. Tropicana Properties professionally manages this property. Set forth below are the guidelines used by Tropicana Properties to evaluate rental Applications for all apartment units subject to the laws applicable to the Low-Income Housing Tax Credit Program, among others. Please carefully review these policies before submitting an Application.

The housing for which you have applied is privately owned and privately managed. It is the goal of the Owner and the Management to maintain a quality community by providing decent, safe, and sanitary housing for all residents in a quiet, well-maintained community. We are different from most other government subsidized housing because we work directly with our residents to help them achieve a better life for themselves and for their families. We believe that housing like ours is meant to assist families who need a place to live while they get their feet on the ground. We want to help our families to meet their needs and to achieve a better life. To do this, we provide services not typically found at other housing communities. We absolutely will not tolerate drugs or any sort of illegal activities by either the residents or their guests on our property. We also expect all family members and their guests to follow all community rules and regulations, which are part of the lease.

Applications may be submitted via: (1) hand delivery to an on-site property manager, (2) regular mail delivered to the address set forth on the first page of this packet, or (3) electronic mail addressed to [leasing@tropicanaproperties.org](mailto:leasing@tropicanaproperties.org). A non-refundable application fee of \$20.00 per unit is due upon submission of a rental Application. The Application must be dated and signed by all prospective adult household members. All questions must be answered truthfully, and the answers must apply to all prospective household members. If any question is not answered or if any relevant information is falsified or omitted, Tropicana Properties may deny the Application. If an Application is denied due to falsified information, the Applicants thereon may not reapply to any property managed by Tropicana Properties for a period of one year unless Tropicana Properties deems such falsification a reasonable mistake. All Applications are considered on a first come first served basis. Each Applicant must be 18 years or older unless an Applicant is a head of household (as defined by the Internal Revenue Service). All occupants 18 years or older are required to complete an Application and sign the lease contract, even if the Applicant is living with a parent or guardian and/or is still in school. Each adult Applicant must present a valid photo

identification card issued by a State Department of Motor Vehicles, or an equivalent agency. Failure to present required identification shall result in the Application being denied.

A \$400.00 security deposit will be required for every household and is due at the time of lease execution. Please note that the forfeiture of a security deposit will apply if/when: The Tenant fails to move in or take possession of the unit after signing the Lease Contract. In addition, if the security deposit is less than the monthly rent, upon renewal of the lease, the security deposit will be increased by no more than \$100 at each such renewal until the amount of the security deposit equals the amount of monthly rent under the lease. For the avoidance of doubt, although a security deposit may equal monthly rent, an increase in the security deposit upon renewal may be required if the rent is increased, but in no event will an increase of the security deposit exceed \$100 at the time of any renewal. However, this limitation does not apply to individuals who paid less than the standard security deposit upon move-in. For those tenants, renewal security deposit increases will be evaluated based on the initial deposit paid and may differ from the standard \$100 increase. Additionally, recognizing the financial challenges some tenants may face, alternative options such as third-party deposit assistance programs may be available to assist tenants in meeting security deposit requirements. Tenants are encouraged to inquire about and explore these alternatives with the property management for potential assistance with their security deposit.

Applicant(s) shall have three business days to comply with a request for documentation verifying any criteria set forth herein. Failure to timely comply shall result in the Application being denied or moved to the back of the list of pending Applications.

There shall be no more than two persons per bedroom and no less than one person per bedroom, unless Tropicana Properties determines that a larger or smaller unit size is not available on the property at the time of Application.

**Screening Process.** Tropicana Properties operates in accordance with the Violence against Women Act, the Justice Department Reauthorization Act of 2005 and other applicable law. Applicants cannot be rejected if the Applicant is a victim of domestic violence, dating violence, sexual assault or stalking, and the Applicant otherwise qualifies for admission. Tropicana Properties' screening process consists of verification of all of the applicable information that is provided by the Applicant. Tropicana Properties will verify past credit, housing, criminal history and inclusion in the National Sex Offender database of all household members who are eighteen (18) years of age or older. Tropicana Properties does not use a scoring system to determine eligibility.

In addition to the foregoing, the screening process includes the following criteria: The Applicant(s) must be able to (1) Pay rent and other housing obligations in a timely manner; (2) Maintain an apartment in a safe, decent and sanitary condition; (3) Refrain from interfering with the rights and quiet enjoyment of other residents; (4) Report all changes in income and family composition in a timely and accurate manner; (5) Comply with all the lease terms, including the agreement that no individual may live in the unit without prior written permission of Tropicana Properties; and (6) meet the applicable income requirements for the requested unit, as set forth herein (collectively, the "Affirmative Requirements").

An Application will be denied if any Applicant or prospective resident meets any one or more of the following criteria: (1) an Applicant does not meet eligibility requirements for the requested unit for any reason, including the income requirement set forth below; (2) the Applicant(s) cannot meet the occupancy standard set forth above for the requested unit; (3) the screening process reveals any outstanding debt to a utility company that would prohibit the any Applicant from establishing utility service in his/her name prior to move-in, (4) the screening process reveals any housing-related collection activity; (5) the screening process reveals a credit score of 649 or lower (6) the screening process reveals any evictions; (7) the screening process reveals any felony conviction within three years prior to the date of the Application, any deferred adjudication for felony offenses within two years prior to the date of the Application, two or more felony convictions within six years prior to the date of the Application, any drug-related felony conviction or deferred adjudication, any first degree felony conviction or deferred adjudication, any conviction for burglary of a habitation, unlawful possession of a firearm, arson, any sexual offense, any offense involving the possession, manufacture or distribution of illegal drugs, four or more misdemeanor convictions or deferred adjudications involving violent crimes against persons, crimes against property, prostitution-related offenses, and/or any drug-related misdemeanor conviction or deferred adjudication within one year prior to the date of the Application; (8) the criminal screening criteria will not allow anyone to reside in the Development who is subject to a lifetime sex offender registration requirement; (9) the screening process reveals any prior termination of assistance for fraud; and/or (10) one or more Applicants has any outstanding debt regarding any property managed by Tropicana Properties and

such Applicant(s) have either not reached a settlement with Tropicana Properties, or has reached a settlement but has not strictly complied therewith (collectively, the “Disqualifying Criteria”).

Notwithstanding the foregoing, if an Applicant or prospective resident meets or exceeds any one or more of the Disqualifying Criteria, but also meets or exceeds all of the Affirmative Requirements, then, in accordance with applicable law and any, if any, applicable contractual obligations to third-parties, Tropicana Properties may, in its sole discretion, waive one or more of the Disqualifying Criteria on a case-by-case basis, thereby approving the Application.

In addition to the foregoing, if all Applicants are full-time students then the group must meet one of the following exceptions: (1) at least one student is receiving assistance under Title IV of the Social Security Act, (2) at least one student was previously under the care and placement responsibility of the state agency responsible for administering foster care, (3) at least one student participates in a program receiving assistance under the Job Training Partnership Act, Workforce Investment Act, or under other similar federal, state, or local laws, (4) at least one student is a single parent with child(ren) *and* this parent is not a dependent on another individual *and* the child(ren) is/are not dependent(s) on someone other than a parent, or (5) at least two of the Applicants are married and entitled to file a joint tax return.

Screening criteria will be applied in a manner consistent with all applicable laws, including the Texas and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines, the Department’s HUD rules and the Department’s TDHCA rules.

**Pets.** No pets are permitted on any property managed by Tropicana Properties, provided, however, that specific animal, breed, number, weight restrictions, pet rules, and pet deposits will not apply to households having a qualified service or assistance animal.

**Income.** All sources of income must be verified. The gross monthly income of the household must be at least 2 times the monthly tenant-paid portion of the rental amount. Applicants using Housing Choice Vouchers under Section 8 of the Housing Act of 1937 are encouraged to apply and must qualify under the same guidelines as other Applicants, provided, however, that all such applicants, in addition to those participating in other rental assistance programs will not be evaluated regarding their income. For all other Applicants, the maximum household income and rent limit guidelines are set forth on the enclosed document entitled “Income and Rent Limits.”

**Promotions.** At any time, and from time to time, Tropicana Properties may waive or modify certain criteria set forth herein on a promotional basis offered to all Applicants who submit an Application during the timeframe of any such promotion. Notwithstanding the foregoing, Tropicana Properties will not waive or modify any of the following criteria or requirements: Identification, Age, Income, Criminal Background, Pets, or any protection afforded to any person under applicable law. All promotions will be made in writing, shall be based upon the terms set forth in such written document, and shall be made available to all Applicants during the promotional period.

**Reasonable Accommodation Policy.** Any Applicant with a current disability, or any person qualified to speak on behalf of an Applicant with a disability, may request a reasonable accommodation by communicating such request via (1) hand delivery, or in person, to an on-site property manager, (2) regular mail delivered to the address set forth on the first page of this packet, or (3) electronic mail to [leasing@tropicanaproperties.org](mailto:leasing@tropicanaproperties.org). Tropicana Properties will respond to all such requests within fourteen days of the date it receives a request.

Requests are not required to be made in writing and Tropicana Properties shall never require that specific medical or disability information other than the disability verification be requested to verify eligibility for a reasonable accommodation.

Tropicana Properties shall never (1) deny an Application containing any person(s) with disabilities because an accessible unit is not available at the time of the Application, or (2) require any person(s) with disabilities to rent a specific unit because such unit has already been made accessible.

If a request for an accommodation is denied, the requesting party may appeal such determination by contacting the on-site property manager within fourteen days of the date of denial. The appeal will be conducted by an employee of Tropicana Properties who was not part of the initial denial.

**Wait List Policy.** If a property is fully occupied or the unit size requested in an Application is not available, any Qualified Applicant (as defined below) may choose to be placed on the waitlist by fully completing an Application, submitting all documentation required by Tropicana Properties, paying all Applications fees and requesting to be placed on the wait list. A “Qualified Applicant” is an Applicant who meets the requirements of the policies set forth herein and is otherwise eligible under any program governing the unit for which the Applicant has applied. By accepting an Application and placing it on the wait list, Tropicana Properties makes no guarantee of any offer of housing.

Applicants on the wait list must contact Tropicana Properties and communicate their desire to remain on the wait list every six months to renew the Application. An exception to this policy may be granted as an accommodation to afford an Applicant with disabilities equal opportunity to apply for housing if such request is submitted and approved in advance of the scheduled application renewal date. Tropicana Properties does not send out reminder notices or make phone calls to remind Applicants of this six-month deadline. If an Applicant fails to communicate their desire to remain on the wait list within six months of the date of the Application on file, the Application will be removed from the Waiting List.

As units become available, Applicants on the wait list will be contacted in the order their Application was received. Once an Applicant has been contacted regarding an available unit, the Applicant will have 48 hours to (1) indicate to Tropicana Properties whether such Applicant still desires to be evaluated to move into the property, (2) update any information in the Application or the submitted documentation that is outdated, and (3) submit payment for all application fees and deposits. Any Applicant who does not timely and completely respond, as set forth above, shall be denied and removed from the wait list. All Applicants on any Application being evaluated for removal from the waitlist due to a unit becoming available more than 120 days after the date the Application was submitted shall resubmit all supporting documentation required by Tropicana Properties along with an additional application fee so that such Applicant(s) may be rescreened.

Tropicana Properties will not accept Applicants onto the waitlist if there are 10 other Applicants already on the wait list for each type of unit on the property. Notwithstanding the foregoing, Applicants who have demonstrated eligibility under any of the following programs will be prioritized over all other Applicants on the wait list: (A) Applicants who need accessible units in accordance with Title 24, Section 8.27 of the Code of Federal Regulations, and (B) Applicants who are covered by VAWA. Any Applicant who is a current resident of any property managed by Tropicana Properties will be treated the same as all other Applicants with regard to this Wait List Policy.

For every property managed by Tropicana Properties with additional rent and occupancy restrictions shall maintain a separate wait list for each category of restricted units.

**Denied Application Policy.** If an Application is denied, Tropicana Properties will send the Applicant(s) a letter within seven days of the determination stating the specific reason for the denial with a reference to the specific issue in these policies upon which the denial is based. Applicants subject to a denied Application under the policies set forth herein may contact Tenant Alert- Tropicana Properties’ third-party screening company. Located at 23801 Calabasas Rd #1022, Calabasas, CA 91302 (866) 272-8400, to confirm the information relied upon by Tropicana Properties and/or to resolve any discrepancies.

If an Applicant learns that Tropicana Properties has relied upon erroneous information from CoreLogic, then the Applicant may appeal his or her denial by delivering documentation to Tropicana Properties refuting such erroneous information, which documentation must, in the sole discretion of Tropicana Properties, be credible and verified by a reliable third-party.

**WARNING:** To obtain or to attempt to obtain housing assistance by knowingly giving inaccurate or misleading information or knowingly withholding important information during the Application process is a CRIMINAL OFFENSE under federal law. Such acts will be a basis for denying housing assistance or terminating tenancy.

## **Income and Rent Limits**

<b>% of AMI</b>	<b>1 Person</b>	<b>2 Person</b>	<b>3 Person</b>	<b>4 Person</b>	<b>5 Person</b>	<b>6 Person</b>	<b>7 Person</b>	<b>8 Person</b>
30%	\$ 15,750	\$ 18,000	\$ 20,250	\$ 22,500	\$ 24,300	\$ 26,100	\$ 27,900	\$ 29,700
50%	\$ 26,250	\$ 30,000	\$ 33,750	\$ 37,500	\$ 40,500	\$ 43,500	\$ 46,500	\$ 49,500
60%	\$ 31,500	\$ 36,000	\$ 40,500	\$ 45,000	\$ 48,600	\$ 52,200	\$ 55,800	\$ 59,400

	<b>BEDROOMS</b>			
<b>AMFI</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
30%	421	506	585	652
50%	703	843	975	1087
60%	843	1012	1170	1305

## **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 persons that have been subject to domestic violence, dating violence, sexual assault, or stalking. VAWA protections are available equally to all individuals regardless of sex, gender identity, or sexual orientation. The Texas Department of Housing and Community Affairs is the State agency that oversees **the Housing Tax Credit, HOME Multifamily, and the Section 811 Project Rental Assistance Program (collectively, a “covered program”)**. This notice explains your rights under VAWA. A U.S. Department of Housing (“HUD”) approved certification form is attached to this notice. You can fill out this form to show that you are or have been subject to 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 a covered program, you cannot be denied admission or denied assistance because you are or have been subject to domestic violence, dating violence, sexual assault, or stalking.

**Protections for Tenants.** If you are receiving assistance under a covered program, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been subject to domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been subject to 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 the covered 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.** Tropicana Properties may divide (bifurcate) your lease in order to evict the individual 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 Tropicana Properties chooses to remove the abuser or perpetrator, Tropicana Properties 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, Tropicana Properties must allow the tenant who is or has VAWA protections 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, Tropicana Properties must follow Federal, State, and local eviction procedures. In order to divide a lease, Tropicana Properties may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking (such as HUD’s self-certification form 5382).

**Moving to Another Unit.** Upon your request, Tropicana Properties may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, Tropicana Properties 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

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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> The VAWA statute uses the term victims to describe those with VAWA protections, but the Department herein refers to this class of persons as subject to protections under VAWA.

<sup>3</sup> Housing providers in the covered programs 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.

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 does not already have documentation that you have been subject to 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 have been subject to sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you have been subject to 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.

Tropicana Properties will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and work to ensure the confidentiality of the location of any move by such victims and their families.

Tropicana Properties' emergency transfer plan provides further information on emergency transfers, and HP 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.**

Tropicana Properties can, but is not required to, ask you to provide documentation to "certify" that you are or have been subject to domestic violence, dating violence, sexual assault, or stalking. Such request from Tropicana Properties must be in writing, and Tropicana Properties 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. Tropicana Properties 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 Tropicana Properties as documentation. It is your choice which of the following to submit if HP 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 (HUD form 5382) given to you by Tropicana Properties 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 Tropicana Properties has agreed to accept.

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

If Tropicana Properties 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), Tropicana Properties 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, Tropicana Properties does not have to provide you with the protections contained in this notice.

**Confidentiality.** Tropicana Properties 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. Tropicana Properties must not allow any individual administering assistance or other services on behalf of Tropicana Properties (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. Tropicana Properties must not enter your information into any shared database or disclose your information to any other entity or individual. Tropicana Properties, however, may disclose the information provided if:

- You give written permission to Tropicana Properties to release the information on a time limited basis.
- Tropicana Properties 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 Tropicana Properties or your landlord to release the information.

VAWA does not limit Tropicana Properties' 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, Tropicana Properties cannot hold tenants who have been subject to domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been subject to 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 Tropicana Properties 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 Tropicana Properties can demonstrate the above, Tropicana Properties 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 persons subject to domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for persons subject to 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 TDHCA at

<https://www.tdhca.state.tx.us/complaint.htm> or 800-525-0657 or 817-978-5600 the HUD Fort Worth regional office, (800)-669-9777, (TTY 817-978-5595).

**For Additional Information.** You may view a copy of HUD's final VAWA rule at: <https://www.federalregister.gov/documents/2016/11/16/2016-25888/violence-against-women-reauthorization-act-of-2013-implementation-in-hud-housing-programs>. Additionally, Tropicana Properties must make a copy of HUD's VAWA regulations available to you if you ask to see them. For questions regarding VAWA, and/or if you need to move due to domestic violence, dating violence, sexual assault, or stalking please contact the Texas Department of Housing and Community Affairs at 512-475-3800 or 800-475-3800 (Relay Texas 800-735-2989) for assistance in locating other available housing (note, this is not a domestic violence hotline. Depending on your location, the Department may also have a listing of local service providers and advocates who can help you move to a safe and available unit. For more information regarding housing and other laws that may protect or provide additional options for survivors, call the Texas Council on Family Violence Policy Team at: 1-800-525-1978.

**Domestic Violence, Sexual Assault and Stalking Resources.** To speak with an advocate and receive confidential support, information and referrals regarding domestic violence 24 hours a day, every day, contact the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also visit the Texas Council on Family Violence website for a listing of local domestic violence services providers: [http://tcfv.org/service-directory/?wpbdp\\_view=all\\_listings](http://tcfv.org/service-directory/?wpbdp_view=all_listings).

For confidential support services and referral to a local sexual assault crisis center 24 hours a day, every day, contact RAINN: Rape, Abuse, & Incest National Network: Hotline: 1-800-656-HOPE. You may also visit the Texas Association Against Sexual Assault to find local crisis centers: <http://taasa.org/crisis-center-locator/>.

For information regarding stalking visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

Victims of a variety of crimes may find referrals by contacting the Victim Connect Resource Center, a project of the NCVIC, through calling Victim Connect Helpline: 855-4-VICTIM (855-484-2846) or searching for local providers at <http://victimconnect.org/get-help/connect-directory/>.

### **Legal Resources.**

1) TexasLawHelp.org, [www.texaslawhelp.org](http://www.texaslawhelp.org). TexasLawHelp.org is a website that provides free, reliable legal information on a variety of topics such as; family law, consumer protection and debt relief, health and benefits, employment law, housing, wills and life planning, and immigration. The website offers interactive and downloadable legal forms, self-help tools and videos on legal issues, and can assist in locating local free legal services.

2) Texas Advocacy Project, A VOICE: 1.888. 343.4414. Advocates for Victims of Crime (A VOICE), a project of Texas Legal Services Center, provides free direct legal representation and referrals to victims of violent crime, and providing education about crime victim's rights and assistance with Crime Victims Compensation applications. Note: callers will most likely leave a message and their call will be returned by an attorney.

3) Legal Aid for Survivors of Sexual Assault (LASSA), 1-844-303-SAFE (7233). The LASSA Hotline is answered by attorneys seven days a week. The Hotline attorneys provide sexual assault survivors with legal information and advice about legal issues that may arise following a sexual assault including crime victim's rights, housing, and safety planning.

4) Family Violence Legal Line, 800-374-HOPE. Texas Advocacy Project. Offers the HOPE Line, Monday - Friday 9am-5pm, staffed by attorneys can help you with a variety of legal concerns related to domestic violence, sexual assault, and stalking.

**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):

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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.