

Buffalo River Apartments
716-328-5555
67 Vincennes Street
Buffalo, NY 14204



Dear Interested Party:

Buffalo River Apartments is located in the First Ward offering affordable one-bedroom apartments. The site features on-site laundry facilities, secured entry, community space and is pet friendly. The Old First Ward Community Center, located across the street, provides programming and activities to seniors. Heat, water, and garbage are included in the rent. An electric stove and refrigerator are also provided.

Eligibility Criteria:

- 1 The head of the household must be 62 years of age or older.
- 2 Meet income limits.
- 3 The household may consist of one or two people.
- 4 Four (4) apartments with preference for Frail Elderly

Tenants will be responsible for their own utilities (hot water, electric cooking, lights, & AC) and must be prepared to put the electric services in their names as of their scheduled move in date, as well as demonstrate that they have adequate income to afford rent and utilities. Water is included in the rent.

The Buffalo River Apartments offers the following types of apartments:

Bedroom Size	Rent per month	Minimum Income	Maximum Income	Eligibility
1	\$614	\$15,500	1 Person \$24,800 2 Person \$24,800	Two Person Maximum

Section 8 Voucher Holders are welcome and will automatically qualify within some income limits.

All applications will be processed in the order of date received and preliminary eligibility will be satisfied by using the information you provide. Applicants will either be given an interview appointment if apartments are available or notified in writing if placed on the waiting list.

Any applicant that is determined to be ineligible will be given the reason for the determination and will have an opportunity to request an appeal within a specified time frame.

Information attached to this application references the Violence against Woman act of 2013 (VAWA). The VAWA protects victims of domestic violence, dating violence, sexual assault, or stalking ("DVDVSAS" or "VAWA covered crimes") from discrimination in accessing and maintaining federally assisted housing. Applicants and tenants may not be denied admission or evicted from housing because the applicant or tenant has been the victim of a crime protected under VAWA if otherwise qualified for the housing. See 34 U.S.C. s 12491 (b)(I); 24 CFR Part 5, Subpart L.

Please mail your completed application to "Buffalo River Apartments" at the address above. If you have a disability and need assistance with the application process, please contact our Intake Specialist at 716-880-3890. Reasonable accommodations will be made for all persons with disabilities or handicaps.

Please note that Buffalo River Apartments are smoke-free.



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For office use only: Date Received:	Referred by: Friend/Relative	<input type="checkbox"/> Agency
Time Received: Witness:	Newspaper TV/Radio	Flyer Other:
Special Feature requested: Wheelchair , Hearing / Vision	AMI Level 50%	

Applicant please indicate - Bedroom size: One (1)
Other: ☐ Mobility Challenges ☐ Vision Challenges ☐ Deaf/Hard of Hearing

All sections of this application MUST BE COMPLETED. LEGAL NAMES of each household member must be used. All information provided is kept confidential, safe and secure.

ALL SPACES must be FILLED IN or MARKED as N/A (NON-APPLICABLE) Incomplete applications will be returned to you.
*If you are unable to fill out this application, someone may fill it out for you. That person must sign the last page as the person whose handwriting appears on the form. If you need additional assistance, contact the office at the number above.

Read all sections and complete the application as directed.

Household information: List all person(s) who will be living in your home.

First Name, Middle initial, Last Name *PLEASE PRINT CLEARLY*	Relation to Head of Household	Social Security Number	Date of Birth	U.s. Citizen Y/N
	Head			

Current Address:

Address: _____ City, State, Zip: _____
Daytime phone: _____ Evening phone: _____ Email: _____

In case of an emergency, notify:

Address: _____ City, State, Zip: _____
Daytime phone: _____ Evening phone: _____ Email: _____

Rental Assistance:

Will your household be receiving rental assistance at the time of move in? Yes ☐ No ☐
Agency providing voucher: _____
Address: _____ Phone Number: _____



Income (please write in GROSS AMOUNTS) for each household member:

*Applications cannot be processed if no income and/or assets are listed.

Head of Household:

Source of Income	Gross Monthly Amount		Gross Annual Amount
Social Security		\$	
SSI or SSD	\$	\$	
State Benefit (SSP)			
Disability/Comp/Insurance	\$		
Employment (Wages)			
Unemployment benefits		\$	
Pension Benefit (Annuity/Investments)			
Veteran's Benefits	\$		
Public Assistance (Cash benefit/DSS)	\$		
Alimony and/or Child Support		\$	
Student Income/Financial Aid/ Grants/Scholarships	\$	\$	
Other Monthly Income	\$	\$	

Co-Head:

Source of Income	Gross Monthly Amount		Gross Annual Amount
Social Security		\$	
SSI or SSD	\$	\$	
State Benefit (SSP)	\$	\$	
Disability/Comp/Insurance	\$	\$	
Employment (Wages)		\$	
Unemployment benefits	\$	\$	
Pension Benefit (Annuity/Investments)			
Veteran's Benefits	\$	\$	
Public Assistance (Cash benefit/DSS)	\$		
Alimony and/or Child Support	\$	\$	
Student Income/Financial Aid/ Grants/Scholarships	\$	\$	
Other Monthly Income	\$	\$	

Please answer each of the following questions by checking appropriate box.	Yes	No
Do YOU or ANY other household member expect changes to your income in the next 12 months? If yes, please explain_		
Does ANY member of your household work for someone who pays in cash?		
Does anyone outside of your family give money to ANY member of your household?		
Is ANY member of your household self-employed?		
Does ANY member of your household receive any other type of income/payments not mentioned on this application? If yes, please explain & list		
Are you or is any other adult member of your household claiming ZERO income?		
Do you or any other household member expect changes to your household income in the next 12 months? If yes, please explain:		

Assets: List ALL assets and/or debit cards for each household member

Type of Account	Name on Account	Name of Company/Source	Last 4 digits of Account #	Balance & Interest rate
Checking(s)				
Saving(s)				
Debit Card(s)				
Pension(s)				
Trust Account				
CD(s)				
Credit Union				
Money Market				
Stocks/Bonds				
Annuities				
IRA's				
Life Insurance				
Cash on Hand				
Investment Property				
List any additional accounts				

Please answer each of the following questions by checking appropriate box.	Yes	No
Have you disposed of any asset in the past two (2) years? Example: Sold real estate or reduced assets by more than \$1,001.00 or more; given away money or set up an irrevocable trust account.		
If yes, amount: \$ please explain: Date of disposition: Amount disposed		

Property, answer all questions:	Yes	No
Does any member of your household own any property?		
If yes, type of property: Property location: Appraised market value: Outstanding Mortgage Amount of most recent tax bill		
Does anyone in the household receive any income from property? If yes, amount: \$		
Has any member of the household sold or disposed of any property in the last 2 years?		
If yes, type of property Market value when sold/disposed of \$ Amount sold / disposed for Date of transaction		

Vehicle and Pet information: List any cars, trucks or other vehicles owned. Parking will be provided for one vehicle per tenant.

Type of Vehicle:License Plate:

Year/Make:Color:

If 2nd Vehicle -

Type of Vehicle:License Plate:

Year/Make:Color:

Animal/Pet Information: Our policy allows for one (1) common household pet that is less than 25 lbs. at maturity. Domesticated dog, cat, bird, rodent/rabbit and fish. Does not include reptiles except a turtle.

Do you own a pet?YesNo

If yes, describe:

Do you have a service or support animal?YesNo

If yes, describe:

Authorization: (please read carefully and sign below this statement)

I/We do hereby authorize the staff of Buffalo River Apts to contact any person, agency, office, group or organization, to obtain and verify any information deemed necessary to complete my/our application for housing in the property managed by UsI/We agree to hold harmless Buffalo River Apts and any landlord or person listed above from any and all claims I/We may have for the contents of the information disclosed and for the disclosure and use of this information.

Signature of Applicant	Date Signed
Signature of Applicant	Date Signed
Signature of Applicant	Date Signed
**Signature of person completing application for applicant	Date Signed

Please note that you have the right to review/contest/have explained the results of criminal background screen.

Certification:

I/we hereby certify that I/we will not maintain a separate residency in another location, and I/we will certify that this will be my/our permanent residence. I/we understand I/we must pay a security deposit for this apartment prior to occupancy. I/we understand that acceptance of this application does not guarantee rental of an apartment. I/we authorize my consent to have Buffalo River Apt verify the information contained in this application for purposes of providing my/our eligibility for housing, will be based on applicable income limits and managements selection criteria for the Low Income Housing Tax Credit Program. I/we will provide all necessary information including source names, addresses, phone numbers, and account numbers where applicable as well as any other information required. All applications must meet screening criteria. Any changes in family income, size, address or phone numbers must be reported promptly to management in order to properly process this application. I/we further understand that Buffalo River Apt is relying on the information I/we provided to prove my household's eligibility for the Affordable Housing Program. I/we hereby authorize Buffalo River Apt and its staff or authorized representative to contact any agencies, offices, groups or organizations to obtain & verify information or materials which agree deemed necessary to complete my/our application/recertification for housing in the property managed by Buffalo River Apt. I/we certify that all information in this application is true to the best of my/our knowledge and I/we understand that false statements or information are punishable by law and will lead to cancellation of this application or termination of tenancy after occupancy. All eligibility information will be verified through the appropriate third-party source. Failure or inability to provide documentation as requested will result in your application be denied. All qualified applicants will be afforded equal opportunities without discrimination because of race, color, religion, familial status, creed, national origin, sex, age, disability or marital status.

I/we hereby certify that attached to this application are "Notice of occupancy rights under the violence against women act" , include HUD form 5382 and Know Your Rights NYS's Anti-Discrimination Policy.

All adult applicants, 18 or older, must sign application.

Signature of Applicant	Date Signed
Signature of Applicant	Date Signed
Signature of Applicant	Date Signed
**Signature of person completing application for applicant	Date Signed

The information below regarding race, ethnicity and sex designation solicited on this application is requested in order to assure the Federal Government, acting through the Rural Housing Service that the Federal Laws prohibiting discrimination against tenant applications on the basis of race, color, nation origin, religion, sex, familial status, age and disability are complied with. You are not required to provide this information. This information will not be used in evaluating your application or to discriminate against you in any way.

Head Tenant Ethnicity:

Hispanic or Latino
Non-Hispanic or Latino

Race: (Mark one or more)

☐ American Indian/Alaska Native

☐ Asian

☐ Black/African American

☐ Native Hawaiian/Pacific Islander

☐ White

Gender:

Male | Female | **Öv** | **Sä** | Other

Co-Tenant Ethnicity:

Hispanic or Latino
Non-Hispanic or Latino

Race: (Mark one or more)

☐ American Indian/Alaska Native

☐ Asian

☐ Black/African American

☐ Native Hawaiian/Pacific Islander

☐ Lwhite

Gender:

MalepŷSãFemale Other

NOTICE OF OCCUPANCY RIGHTS UNDER
THE VIOLENCE AGAINST WOMEN ACT



Notice of Occupancy Rights under the Violence Against Women Act¹

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.² The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that Buffalo River Apartments housing program (HP) complies 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 Buffalo River Apartments housing 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 Buffalo River Apt. housing 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 Buffalo River Apts housing 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

HP 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.

Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

² 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.

If HP chooses to remove the abuser or perpetrator, HP 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, HP 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, HP must follow Federal, State, and local eviction procedures. In order to divide a lease, HP may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

Moving to another Unit

Upon your request, HP 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, HP 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 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.

HP 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.

HP's 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

HP 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 HP must be in writing, and HP 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. HP 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 HP 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 given to you by HP 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.
- e 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 HP has agreed to accept.

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

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

Confidentiality

HP 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.

HP must not allow any individual administering assistance or other services on behalf of HP (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.

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

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

VAWA does not limit HP's 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, HP 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 HP 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 HP can demonstrate the above, HP 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 the Department of Housing & Urban Development at (716) 551-5755.

For Additional Information

You may view a copy of HUD's final VAWA rule at HUD Federal Register # 79 CR 62751.

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 Crisis Services at (716) 834-3131.

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 the local organization at (512) 453-8117.

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:

Erie County: (716) 834-2310 **Genesee County: (585) 344-0516**

Niagara County: (716) 438-3306 **Cattaraugus County: (888) 945-3970**

Victims of stalking seeking help may contact your local law enforcement or 911.

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:

1 Residence of victim:

2 Name of the accused perpetrator (if known and can be safely disclosed):

1 . Relationship of the accused perpetrator to the victim:

2 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.

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 716-328-5555, 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.

* The Notice must include contact information when being 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 a 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 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: t
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);

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.

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.
- 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, thermostats, 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, 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.

NEWYORK Homes and
Community Renewal

OPPORTUNITY

t

KATHY HOCHUL
Governor

RUTHANNE VISNAUSKAS
Commissioner/CEO

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 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 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 B. 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 for assistance. More information is

available here:

<https://hcr.ny.gov/marking-plans-policies/credit-and-justice-involvement--assessment-policies>