

ADDENDUM HUD SECTION 202 PRAC – CHAPARRAL SENIOR HOUSING

All regulations and requirements found in this Addendum are from the HUD Occupancy Handbook 4350.3, REV-1, Change 3. References to specific paragraph section will be cited as relevant.

Background:

1. Chapter 3, paragraph 18, A.,2 defines an “Elderly” family as one in which the head of household, co-head, or spouse is 62 years age or older. The definition in a 202 PRAC program does NOT include disabled or handicapped persons as in other programs. Also refer to Figure 3-6, Definition C.
2. The original loan application indicates that Chaparral Senior Housing was built to serve "persons aged 62 years or age or older".
3. The Age Discrimination Act of 1975 explains that age can be used as screening criteria in a particular program if age distinctions are permitted by statute for that program or if age distinctions are a factor necessary for normal operation of the program or the achievement of a statutory objective of the program or activity.

Thus, a Section 202 PRAC project that only admits elderly families, as defined above, would not be considered to be operating in violation of the Age Discrimination Act. See Chapter 2, Paragraph 7, B.

Therefore, elderly households with children who would otherwise meet the eligibility and unit size standards shall be considered “*ineligible*” for this program.

4. Owner will treat federal preferences equally (If applicable).
5. If the individual who establishes eligibility for the project leaves the unit, a determination must be made as to whether the remaining member(s) of the household will be eligible to receive assistance: the individual(s) must be a party to the current lease; the individual(s) must be of legal contract age under state law; the individual(s) must be living in the assisted unit with former resident – this also applies to the death of the establishing individual. See Chapter 3, Paragraph 16, Sub-paragraphs A and B.

If the individual(s) remaining is/are not eligible for the project, he/she may not receive rental assistance and the individual may not remain in the unit.

6. Noncitizens aged 62 years of age or older must sign a declaration of eligible immigration status and provide a proof of age document: birth certificate, baptismal certification dated within one year of birth, Passport, etc. U.S. citizens must sign a declaration of citizenship. Proof of citizenship for those declaring to be U.S. citizens or nationals will complete HUD “214 Review “ and supply the relevant documents as listed on the form. See Chapter 3, paragraph 12, sub-paragraph B. 1 – 4.