

LIHTC LEASE RIDER

ATTENTION: In accordance with requirements for Low-Income Housing Tax Credits, the following documents must be obtained from all tenants of apartments for which low-income housing tax credits are required: completed LIHTC Lease Rider, Income Certification, and Income Verification.

Tenant Name:

Unit:

Lease Term: _____ to _____

Building Address:

The undersigned tenant hereby certifies and agrees as follows:

1. Income Certification: My income certification is true, correct, and complete.
2. Income Verification: The Owner or Property Manager has my permission to verify my income from all sources.
3. Student Status: I understand that this apartment cannot be occupied entirely by full-time students unless the household meets and allowable tax credit exemption.
4. False Statements/Certification: If my income certification and/or any lease application submitted by me is false, or if I fail to provide annual certification, the Owners or Property Manager have the right to terminate my lease and recover possession of my apartment to the fullest extent permitted under applicable law.

I acknowledge and understand the requirement of providing my income certification to be approved for residency by the Owner of Smith Woodward Plaza and the Property Managers, as mandated in my lease agreement. I am aware that failing to meet the income qualifications will disqualify my eligibility, and subsequently impact the Owner's capacity to offer me housing through low-income tax credits. This rider shall be considered part of my lease.

Signature _____ Date _____

Owner: Fulton Park #2 Associates, LP

By: The Amistad Management Corporation

Representative Signature _____ Date _____



KATHY HOCHUL
Governor

RUTHANNE VISNAUSKAS
Commissioner/CEO

Violence Against Women Act Lease Addendum

TENANT	LANDLORD	UNIT NO. & ADDRESS

Purpose of the Addendum

The lease for the above-referenced unit is being amended to include New York State policy that adopts the provisions of the Violence Against Women and Justice Department Reauthorization Act of 2013 (VAWA).

Conflicts with Other Provisions of the Lease

In case of any conflict between the provisions of this Addendum and other sections of the Lease, the provisions of this Addendum shall prevail.

Term of the Lease Addendum

This Lease Addendum shall continue to be in effect through the term of the Lease, any lease renewals and subsequent month-to-month tenancies until the Lease or tenancy is terminated. An executed version shall be appended to any new lease and lease renewals.

VAWA Protections

1. The Violence Against Women Act (“VAWA”) and the protections in this Lease Addendum are gender-neutral. An individual does not have to be a woman to access the protections.
2. The Tenant acknowledges receipt of a printed copy of the Notice of Occupancy Rights and a Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking under the Violence Against Women Act (“VAWA”) **and** a copy of HUD 5382 Certification of Domestic Violence, Dating Violence or Stalking. (*Landlords – See Resources Below to Print out copies for the tenant in the appropriate language*)
3. Tenant may not be denied assistance, terminated from participation in, or evicted from housing on the basis of or as a direct result of the fact that the tenant or a member of their family is or has been a victim of domestic violence, dating violence, sexual assault or stalking (“VAWA-covered abuse”) if such tenant family is otherwise qualified for admission, assistance, participation or occupancy.
4. The Landlord may not consider incidents of VAWA-covered abuse as violations of the lease or other “good cause” for termination of assistance, tenancy or occupancy rights of the survivor of abuse.
5. The survivor of VAWA-covered abuse may request protection under VAWA. The Landlord may request written proof or a certification that the individual is a survivor of VAWA-

covered abuse. This can include a completed HUD 5382 Certification of Domestic Violence, Dating Violence or Stalking, or alternate documentation as noted on the Certification such as a court order or letter from a lawyer or social worker. The survivor, a family member or a third-party on their behalf may submit the written proof or certification.

6. The Landlord may take action to bifurcate the lease to remove or evict the person who committed the VAWA-covered abuse. The survivor and other household members will be permitted to remain in the unit, subject to ongoing eligibility and occupancy requirements.
7. The survivor of VAWA-covered abuse may request a transfer to find a safe unit. The Landlord may require a completed HUD 5383 Emergency Transfer Request form. The Landlord will work with the survivor to facilitate a transfer in compliance with their Emergency Transfer Plan even if that transfer is outside of the project's control.
8. If Tenant or a member of their family in the household is a survivor of VAWA-covered abuse in the unit or building, the Tenant may terminate the lease without penalty.

Tenant	Date
Landlord	Date

VAWA Resources

Information on VAWA in State-financed housing	https://hcr.ny.gov/marketing-plans-policies#violence-against-women-act--vawa-
Model Notice of Occupancy Rights (for Landlords to adapt to their needs)	https://hcr.ny.gov/feho-notification-occupancy-rights-vawa
Translations available: Traducción al español, Перевод на русский язык, 한국어 번역, Tradiksyon kreyòl ayisyen, 中文翻譯, বাংলা অনুবাদ	https://hcr.ny.gov/marketing-plans-policies#violence-against-women-act--vawa-
Model Emergency Transfer Plan (for Landlords)	https://hcr.ny.gov/hcr-vawa-model-forms-hcr-model-emergency-transfer-plan
HUD 5382 Certification of Domestic Violence, Dating Violence or Stalking	https://www.hud.gov/sites/documents/5382.docx
Translations available: Traducción al español, Перевод на русский язык, 한국어 번역, Tradiksyon kreyòl ayisyen, 中文翻譯, Arabic & other languages	https://www.hud.gov/program_offices/administration/hudclips/forms/hud5a
HUD 5383 Emergency Transfer Request	https://www.hud.gov/sites/documents/5383.docx
Translations available: Traducción al español, Перевод на русский язык, 한국어 번역, Tradiksyon kreyòl ayisyen, 中文翻譯, Arabic & other languages	https://www.hud.gov/program_offices/administration/hudclips/forms/hud5a
Local Service Provider List	https://hcr.ny.gov/mb-vawa-service-providers

