



INVESTING IN COMMUNITIES

SECTION 214 NOTICE /INSTRUCTIONS TO APPLICANTS APPLYING FOR AND TENANTS CURRENTLY RECEIVING HOUSING ASSISTANCE

THE LAW:

Eligibility for federal housing assistance is limited to U.S. citizens and applicants who have eligible immigration status. Every applicant applying for, and current participants in, the Housing Choice Voucher program must sign a certification for every household member either claiming status as:

- A) U.S citizen, or
- B) Noncitizen, or
- C) A non-contending of eligible immigration status individual.

WHAT THE LAW MEANS TO YOU:

In order to receive housing assistance, you and your family must submit proof of 1) citizenship or 2) eligible immigration status

THIS LAW APPLIES TO THE FOLLOWING PROGRAMS:

1) Section 8 Rental Voucher Program 2) Public & Indian Housing Programs 3) Section 8 Mod-Rehabilitation Program

WHO IS COVERED BY THIS LAW?

Section 214 applies to all applicants, including children, who apply for housing assistance, applicants who are already on a waiting list for housing assistance, and tenants who are already receiving housing assistance under a covered program. Section 214 covers 1) U.S. citizens and 2) Noncitizens who have eligible immigration status.

WHAT EVIDENCE WILL BE REQUIRED?

A) FOR U.S. CITIZENS

A signed declaration of U.S. Citizenship for each adult member of the household (FORM A - *Declaration of Section 214 Status*)

B) FOR NONCITIZENS

1. AGE 62 OR OLDER AND RECEIVING HOUSING ASSISTANCE SINCE JUNE 1, 1995

A signed declaration of eligible immigration status (FORM A - *Declaration of Section 214 Status*) and proof of age.

2. FOR ALL OTHER NONCITIZENS

- a. A signed declaration of eligible immigration status (FORM A - *Declaration of Section 214 Status*) b. Documentation verifying one of the seven eligible immigration status as defined on the back of this page; and
- c. A signed *Verification Consent Form* (FORM B).

C) PERSONS WHO DECLARE THEMSELVES INELIGIBLE:

A signed *Declaration of Section 214 Status* (FORM A) and *Non-Contention of Eligible Immigration Status form* (FORM C)

WHAT IMMIGRATION STATUS IS ELIGIBLE?

Under the Noncitizen Rule, a noncitizen would have eligible immigration status determined by the Immigration and Naturalization Services (INS) pursuant to the Immigration and Nationality Act (INA) in one of the six categories as follows: Immigrant Status under 01 (A) (15) or 101 (a) (20); Permanent Residence under 249; Refugee, Asylum or Conditional Entry Status under 207, 208, or 203; Parole Status under 212 (d) (5); Threat to Live or Freedom under 243(h); and Amnesty under 245 A.

Please ask a technician for more information, notices and forms.



Warning: 18 U.S.C. 1001 provides, among other things, that whoever knowingly and willfully makes or uses a document or writing containing any false, fictitious, or fraudulent statement or entry, in any manner within the jurisdiction of any department or agency of the United States, shall be fined not more than \$10,000 or imprisoned for not more than five years, or both.

The following footnotes pertain to non-citizens who declare eligible immigration status in one of the following categories:

1. Eligible immigration status and 62 years of age or older. For non-citizens who are 62 years of age or older or who will be 62 years of age or older and receiving assistance under a Section 214 covered program on June 19, 1995. If you are eligible and elect to select this category, you must include a document providing evidence of proof of age. No further documentation of eligible immigration status is required.
2. Immigrant status under 101(a)(15) or 101 (a) (20) of INA. A non-citizen lawfully admitted for permanent residence, as defined by 101(a)(20) of the Immigration and Nationality Act (INA), as an immigrant, as defined by 101(a)(15) of the INA (8 U.S.C. 1101 (a)(20) and 1101(a)(15), respectively [*immigrant status*]. This category includes a non-citizen admitted under 210 or 210A of the INA (8U.S.C. 1160 or 1161), [*special agricultural worker status*], who has been granted lawful temporary resident status.
3. Permanent residence under 249 of INA. A non-citizen who entered the U.S. before January 1, 1972, or such later date as enacted by law, and has continuously maintained residence in the U.S. since then, and who is not ineligible for citizenship, but who is deemed to be lawfully admitted for permanent residence as a result of an exercise of discretion by the Attorney General under 249 of the INA (8 U.S.C. 1259) [*amnesty granted under INA 249*].
4. Refugee, asylum, or conditional entry status under 207, 208 or 203 of INA. A non-citizen who is lawfully present in the U.S. pursuant to an admission under 207 of the INA (8 U.S.C. 1157) [*refugee status*]; pursuant to the granting of asylum (which has not been “terminated” under 208 of the INA (8 U.S.C. 1158) [*asylum status*]; or as a result of being granted conditional entry under 203(a)(7) of the INA (U.S.C. 1153(a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic national calamity [*conditional entry status*].
5. Parole status under 212(d)(5) of INA. A non-citizen who is lawfully present in the U.S. as a result of an exercise of discretion by the Attorney General for emergent reasons or reasons deemed strictly in the public interest under 212(d)(5) of the INA (8 U.S.C. 1182(d)5)) [*parole status*].
6. Threat to life or freedom under 243(h) of INA. A non-citizen who is lawfully present in the U.S. as a result of the Attorney General’s withholding deportation under 243(h) of the INA (8U.S.C. 1253(h)) [*threat to life or freedom*].
7. Amnesty under 245A of INA. A non-citizen lawfully admitted for temporary or permanent residence under 245A of the INA (8 U.S.C. 1255a) [*amnesty granted under INA 245A*].

Instructions to Housing Authority: Following verification of status claimed by person(s) declaring eligible immigration status (other than for non-citizens age 62 or older and receiving assistance on June 19, 1995), the PHA must enter INS/SAVE Verification Number and date that it was obtained. A PHA signature is not required.





FORM A DECLARATION OF SECTION 214 STATUS

INVESTING IN COMMUNITIES

NOTICE TO APPLICANTS AND TENANTS: In order to be eligible to receive housing assistance, each applicant or recipient of housing assistance must be lawfully within the United States. Please read the declaration statement carefully, sign it and return it to the Housing Authority office. You are free to consult with an immigration lawyer or other immigration expert of your choice.

Instructions to Family Completing This Form: Please use this form for one household member at a time. For children under the age of 18, print the child’s name on the line below; and the responsible adult must sign at the bottom of the page. If more than five forms are needed, please make copies of this form or come into the PHA office to get more. All Declaration of Section 214 Status forms must be completed and returned to the Sacramento Housing Authority (HA) office.

Place a “9” in the appropriate boxes for the person named below. Sign and date at the bottom of the page: remember the responsible adult must sign for each child under the age of 18.

I, _____ (print first name, middle initial(s) and last name), certify, under penalty of perjury that to the best of my knowledge, I am lawfully within the United States because (please check appropriate box below):

- I am a citizen by birth, a naturalized citizen, or a national of the United States; or
- I have eligible immigration status and I am 62 years of age or older (you must attach proof of age); or
- I have eligible immigration status as checked below. Please attach INS document(s), such as a copy of the front and back of your permanent residency card (commonly known as a “green card”) evidencing eligible immigration status. **Please also complete, sign, and return the attached FORM B - Verification Consent Form** with your recertification packet.
 - Immigrant status under 101(a or 1010(a)(20) of the INA₃; or
 - Permanent residence under 249 of INA₄; or
 - Refugee, asylum, or conditional entry status under 207, 208, or 203 of the INA₅; or
 - Parole status under 212(d)(f) of the INA₆; or
 - Threat to life or freedom under 243(h) of the INA₇; or
 - Amnesty under 245A of the INA₈.

Please see page 2 of the Notice/Instructions to applicants applying for and tenants currently receiving Section 214 Housing Assistance page for information on numbers INA_{3,8}

- I elect not to contend that I have eligible immigration status. **Please also complete, sign and return the attached FORM C - Non-Contention of Eligible Immigration Status Form** and return to the HA office.

Signature _____ Date _____

NOTE: Please sign your name if you are the responsible adult signing on behalf of the child named above. DO NOT sign child’s name

PHA: Enter INS/SAVE Primary Verification #: _____ Date: _____
Print Staff Name: _____ Signature of Staff: _____





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I, _____ (print first name, middle initial(s) and last name), certify, under penalty of perjury that to the best of my knowledge, I am lawfully within the United States because (please check appropriate box below):

- I am a citizen by birth, a naturalized citizen, or a national of the United States; or
- I have eligible immigration status and I am 62 years of age or older (you must attach proof of age); or
- I have eligible immigration status as checked below. Please attach INS document(s), such as a copy of the front and back of your permanent residency card (commonly known as a “green card”) evidencing eligible immigration status. **Please also complete, sign, and return the attached FORM B - Verification Consent Form** with your recertification packet.
 - Immigrant status under 101(a or 1010(a)(20) of the INA₃; or
 - Permanent residence under 249 of INA₄; or
 - Refugee, asylum, or conditional entry status under 207, 208, or 203 of the INA₅; or
 - Parole status under 212(d)(f) of the INA₆; or
 - Threat to life or freedom under 243(h) of the INA₇; or
 - Amnesty under 245A of the INA₈.

Please see page 2 of the Notice/Instructions to applicants applying for and tenants currently receiving Section 214 Housing Assistance page for information on numbers INA₃₋₈

I elect not to contend that I have eligible immigration status. **Please also complete, sign and return the attached FORM C - Non-Contention of Eligible Immigration Status Form** and return to the HA office.

Signature Date

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PHA: Enter INS/SAVE Primary Verification #: _____ Date: _____
Print Staff Name: _____ Signature of Staff: _____





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Place a “9” in the appropriate boxes for the person named below. Sign and date at the bottom of the page: remember the responsible adult must sign for each child under the age of 18.

I, _____ (print first name, middle initial(s) and last name), certify, under penalty of perjury that to the best of my knowledge, I am lawfully within the United States because (please check appropriate box below):

- I am a citizen by birth, a naturalized citizen, or a national of the United States; or
- I have eligible immigration status and I am 62 years of age or older (you must attach proof of age); or
- I have eligible immigration status as checked below. Please attach INS document(s), such as a copy of the front and back of your permanent residency card (commonly known as a “green card”) evidencing eligible immigration status. **Please also complete, sign, and return the attached FORM B - Verification Consent Form** with your recertification packet.
 - Immigrant status under 101(a or 1010(a)(20) of the INA₃; or
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 - Parole status under 212(d)(f) of the INA₆; or
 - Threat to life or freedom under 243(h) of the INA₇; or
 - Amnesty under 245A of the INA₈.

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- I elect not to contend that I have eligible immigration status. **Please also complete, sign and return the attached FORM C - Non-Contention of Eligible Immigration Status Form** and return to the HA office.

Signature Date

NOTE: Please sign your name if you are the responsible adult signing on behalf of the child named above. DO NOT sign child’s name

PHA: Enter INS/SAVE Primary Verification #: _____ Date: _____
Print Staff Name: _____ Signature of Staff: _____





INVESTING IN COMMUNITIES

FORM B VERIFICATION CONSENT FORM FOR SECTION 214 DECLARATION PURPOSES

Who Must Sign: In order to be eligible to receive housing assistance, each noncitizen adult or child applying for, or currently receiving housing assistance, must be lawfully within the U.S. Each adult member of the household 18 years of age and older must sign and complete the data as requested. For minor children under the age of 18, the responsible adult in the household must sign for the child(ren). Please read the below CONSENT information carefully, sign and return to the Housing Authority. You are free to consult with an immigration lawyer or other immigration expert of your choosing.

CONSENT: I consent to allow the Sacramento Housing Authority (HA) to request and to obtain information from the Immigration and Naturalization Service (INS) for the purpose of verifying my eligibility and level of benefits under HUD's assisted housing programs. I understand that the HA cannot use it to delay, deny or terminate housing assistance because of the immigration status of a family member, except as provided in HUD regulations. In addition, I understand I must be given an opportunity to contest the determination with the INS or the HA, or both.

PLEASE PRINT NAME BELOW

PLEASE SIGN BELOW

_____	Alien #	_____	_____
Head of Household		Date expires	Signature of Head of Household
_____	Alien #	_____	_____
Spouse		Date expires	Signature of Spouse
_____	Alien #	_____	_____
Adult Household member		Date expires	Signature of Adult
_____	Alien #	_____	_____
Adult Household member		Date expires	Signature of Adult
_____	Alien #	_____	_____
Adult Household member		Date expires	Signature of Adult
_____	Alien #	_____	_____
Adult Household member		Date expires	Signature of Adult
_____	Alien #	_____	_____
Minor under age 18		Date expires	Signature of responsible adult
_____	Alien #	_____	_____
Minor under age 18		Date expires	Signature of responsible adult
_____	Alien #	_____	_____
Minor under age 18		Date expires	Signature of responsible adult
_____	Alien #	_____	_____
Minor under age 18		Date expires	Signature of responsible adult
_____	Alien #	_____	_____
Minor under age 18		Date expires	Signature of responsible adult

Privacy Act Statement: The information on this form is being collected by the Sacramento Housing Authority to determine the applicant's or tenant's eligibility for housing assistance. The HA may release this information, without responsibility for the further use or transmission of the evidence by the entity receiving it to: (1) the Department of Housing and Urban Development (HUD) as required by HUD; and (2) to the Immigration and Naturalization Service (INS) for purposes of verification of the immigration status of each individual and not for any other purpose.





INVESTING IN COMMUNITIES

FORM C NON-CONTENTION OF ELIGIBLE IMMIGRATION STATUS FORM

PENALTIES FOR MIS-USING THIS CONSENT

The Department of Housing and Urban Development (HUD), the Housing Authority (HA) and any owner (or any employee of HUD, the HA or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form.

Use of the information collected on the consent form is restricted to the purposes cited on the form. Any person who knowingly or willfully requests, obtains or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or participant affected by negligent disclosure of information may bring civil action for damages and seek other relief, as may be appropriate, against the officer or employee of HUD, the HA or the owner responsible for the unauthorized disclosure or improper use.

LISTING OF NON-CONTENDING FAMILY MEMBERS

I, _____ (print first name, middle initial(s) and last name), certify under penalty of perjury that the persons listed below are members of my household. Each person listed below has elected not to contend that he or she has eligible immigration status.

(First Name, Middle Initial(s), Last Name)

(First Name, Middle Initial(s), Last Name)

(First Name, Middle Initial(s), Last Name)

(First Name, Middle Initial(s), Last Name)

(Signature of Head of Household or Spouse)

(Date)

Warning: 18 U.S.C. 1001 provides, among other things, that whoever knowingly and willfully makes or uses a document or writing containing any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of the United States, shall be fined not more than \$ 10,000, imprisoned for not more than five years, or both.

Instructions: If one or more members of a family elect not to contend that he or she has eligible immigration status, and the other members of the family establish their citizenship or eligible immigration status, the family may be considered for assistance despite the fact that no declaration or documentation of eligible immigration status is submitted by one or more members of the family. The family, however, must identify to the HA the family member(s) who will elect not to contend that he or she has eligible immigration status. In the space(s) provided above, type or print the names of the family members who elect not to contend that he or she has eligible immigration status. Listed members of the family do not sign above. However, the Head of Household or Spouse must sign and date the form in the space provided.

