

DECLARATION OF SECTION 214 STATUS

Notice to applicants and tenants: In order to be eligible to receive the housing assistance sought, each applicant for or recipient of housing assistance must be lawfully within the United States. Please read the Declaration statement carefully. Sign and return it to the Housing Authority's Admissions Office. Please feel free to consult with an immigration lawyer or other immigration expert of your choosing.

I, _____, certify under penalty of perjury,¹ that to the best of my knowledge, I am lawfully within the United States because (please check appropriate box):

_____ I am a citizen by birth, a naturalized citizen or national of the United States; or

_____ I have eligible immigration status and I am 62 years of age or older. Attach evidence for proof of age,² or

_____ I have eligible immigration status as checked below (see explanation on reverse side of form). Attach INS document(s) evidencing eligible immigration status, and signed verification consent form.

- Immigrant status under 1001 (a) (15) or 101 (a) (20) of the INA,³ or
- Permanent residence under 249 of INA,⁴ or
- Refugee, asylum or conditional entry status under 207, 208 or 203 of the INA,⁵ or
- Parole status under 212 (d) (f) of the INA,⁶ or
- Threat to life or freedom under 243 (h) of the INA,⁷ or
- Amnesty under 245 of the INA⁸

(Signature of Family Member)

(Date)

Check box on left if signature is of adult residing in the unit who is responsible for child named on statement above.

PHA: Enter INS/SAVE Primary Verification# _____ Date: _____

(See reverse side for footnotes and instructions)

¹ 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:

² 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,

³ Immigration status under 101(a) 15 or 10J(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. 1 101(a)(20) and 1101(a)(15), respectively (immigrant status). This category includes a non-citizen admitted under 210 or 210A of the INA (8 U.S.C. 1160 or 1161), (special agricultural worker status), who has been granted lawful temporary resident status.

⁴ 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).

⁵ 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. 1 153 (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).

⁶ 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. 1 182(d)(5)) [parole status).

⁷ 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 (8 U.S.C. 1253(h)) [threat to life or freedom).

⁸ Amnesty under 245A of INA. A non-citizen lawfully admitted for temporary or permanent residence under 245A of the INA (5 U.S.C. 1255a) [amnesty granted under INA 245A].

Instruction to Housing Authority: Following verification of status claimed by persons 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/AVE Verification Number and date that it was obtained. A PHA signature is not required.

Instructions to Family Member For Completing Form: On opposite page print or type first name, middle initial(s) and last name. Place an "X" or "V" in the appropriate boxes. Sign and date at bottom of page. Place an "X" or "V" in the box below the signature if the signature is by the adult residing in the unit who is responsible for child.

Verification Consent Form

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

This consent form expires 15 months after signed.

ADULT:

_____	A- _____	_____
Head of Household	Alien Number	Date
_____	A- _____	_____
Spouse	Alien Number	Date
_____	A- _____	_____
Family Member Age 18 or over	Alien Number	Date
_____	A- _____	_____
Family Member Age 18 or over	Alien Number	Date
_____	A- _____	_____
Family Member Age 18 or over	Alien Number	Date
_____	A- _____	_____
Family Member Age 18 or over	Alien Number	Date
_____	A- _____	_____
Family Member Age 18 or over	Alien Number	Date
_____	A- _____	_____
Family Member Age 18 or over	Alien Number	Date

CHILD:

_____	A- _____	A- _____	_____
Family Member Age Under 18	Alien Number	Signature of Adult Residing in Unit Unit Responsible for Child	Alien Number Date
_____	A- _____	A- _____	_____
Family Member Age Under 18	Alien Number	Signature of Adult Residing in Unit Unit Responsible for Child	Alien Number Date
_____	A- _____	A- _____	_____
Family Member Age Under 18	Alien Number	Signature of Adult Residing in Unit Unit Responsible for Child	Alien Number Date
_____	A- _____	A- _____	_____
Family Member Age Under 18	Alien Number	Signature of Adult Residing in Unit Unit Responsible for Child	Alien Number Date

1. If citizenship declared by adult, leave blank

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. Please read the Verification Consent Form carefully and sign and return to the Housing Authority's Admissions Office. Please feel free to consult with an immigration lawyer or other immigration expert of your choosing.

PRIVACY ACT STATEMENT:

The information on this form is being collected by the **LEXINGTON HOUSING AUTHORITY** to determine the applicant's or tenant's eligibility for housing assistance. The PHA 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 U.S. Citizenship and Immigration Services (USCIS) for purposes of verification of the immigration status of each individual and not for any other purpose.

PENALTIES FOR MUSUSING THIS CONSENT:

HUD, the PHA and any owner (or any employee of HUD, the PHA or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based in the consent form.

Use of the information collected on this 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 PHA or the owner responsible for the unauthorized disclosure or improper use.

LISTING OF NON-CONTENDING FAMILY MEMBERS

I, _____, certify, under penalty of perjury, (I)

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)

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

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

(Signature of Head of Household of 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 PHA 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.