

**EXHIBIT 5-1
NON-CITIZEN RULE – SUMMARY OF DOCUMENTATION REQUIREMENTS**

STATUS		DOCUMENTATION	
I A Citizen or National of the United States.		DECLARATION: For each family member with this status, a declaration of citizenship signed under penalty of perjury. For each adult, the declaration must be signed by the adult. For each child, the declaration must be signed by an adult residing in the assisted dwelling unit who is responsible for the child.	
II. A non-citizen claiming eligible immigration status who is 62 years of age or will be 62 years of age and receiving assistance on the effective date: 9/6/96.		DECLARATION: For each family member with this status, a declaration of eligible immigration status signed under penalty of perjury. Adults must sign their own declarations. AND: Proof of age DECLARATION: See II above AND:	
III. All other non-citizens claiming eligible immigration status. Categories of eligible immigration status:		A verification form: For each adult, the adult must sign the form. For each child, an adult member of the family residing in the unit who is responsible for the child must sign the form.	
1. A non-citizen lawfully admitted for permanent residence as an immigrant (includes special agricultural workers granted lawful temporary resident status).		The verification form must state that evidence of eligible immigration status may be released by the PHA to HUD and the INS without responsibility for the future use or transmission of the evidence by the recipient. The form must also notify the signer of the possible release of evidence of eligible immigration status by HUD. Such evidence shall only be released by HUD to the INS for the purpose of establishing eligibility for financial assistance. AND:	
2. A non-citizen who entered the United States before 1/1/72 (or such later date as enacted by law); and		AND: <i>INS Primary Verification</i> of eligible immigration status must be conducted by the PHA through the INS automated SAVE system. If this method fails to verify status, or, if the verification received indicates ineligible immigration status, the PHA must request <i>Secondary INS Verification</i> within 10 days by sending to the local INS Office photocopies of INS documents receiving (front and back) attached to Form G-845S – Document Verification Request.	
<ul style="list-style-type: none"> - 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. 		AND: The PHA must request and review an original INS document of eligible immigration status and must retain photocopies and return the original to the individual.	

EXHIBIT 5-1
NON-CITIZEN RULE – SUMMARY OF DOCUMENTATION REQUIREMENTS

STATUS	DOCUMENTATION
<p>III. All other Non-citizens with eligible immigration status (continued)</p> <p>3. A non-citizen who is lawfully present in the United States as a result of:</p> <ul style="list-style-type: none"> - Refugee status (section 207); or - The granting of asylum (which has not been terminated (section 208); or - The granting of conditional entry (section 203 (a)(7) prior to 4/1/80 because of persecution of fear on account of race, religion, or political opinion, or because of being uprooted by catastrophic national calamity. <p>4. A non-citizen who is lawfully present in the United States as a result of an exercise of discretion by the Attorney General for emergency reasons or reasons deemed strictly in the public interest (section 221(d)(5)) (e.g., parole status).</p> <p>5. A non-citizen who is lawfully present in the United States as a result of the Attorney General's withholding deportation (section 243 (h)) (threat to life or freedom).</p> <p>6. A non-citizen lawfully admitted for temporary or permanent residence (245A) (amnesty granted).</p>	<p>Acceptable INS Document:</p> <ul style="list-style-type: none"> • Form I-551 Alien Registration Receipt Card (for permanent resident aliens) • Form I-94 Arrival-Departure Record annotated with one of the following: <ul style="list-style-type: none"> - Admitted as a Refugee Pursuant to Section 207" - "Section 208" or "Asylum" - "Section 243(h)" or "Deportation stayed by Attorney General" - "Paroled Pursuant to Section 221 (d)(5) of the INS" • Form I-94 Arrival-Departure Record with no annotation accompanied by: <ul style="list-style-type: none"> - A final court decision granting asylum (but only if no appeal is taken); - A letter from an INS asylum officer granting asylum (if application is filed on or after 10/1/90) or from an INS district director granting asylum (application filed before 10/1/90); - A court decision granting withholding of deportation; or - A letter from an asylum officer granting withholding or deportation (if application filed on or after 10/1/90). • Form I-688 Temporary Resident Card annotated "Section 245A" or Section 210". • Form I-688B Employment Authorization Card annotate "Provision of Law 274a.12(11)" or "Provision of Law 274a.12". • A receipt issued by the INS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant's entitlement to the document has been verified; or • Other acceptable evidence. If other documents are determined by the INS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the <i>Federal Register</i>.