

POLICY STATEMENT

Family housing is available to WCMC Faculty, students, postdoctoral trainees, visiting fellows, and their spouses, domestic partners, minor dependents, or IRS qualifying dependents each of whom must be domiciled in WCMC Housing. All decisions concerning family housing and family status are solely at the discretion of the WCMC Housing Office.

DEFINITIONS

The following definitions apply to terms as they are used in this policy:

WCMC Housing License Agreement The Terms & Conditions which all WCMC Housing residents and their guests must follow.

Primary Resident Housed individual whose affiliation/relationship with WCMC provides a housing eligibility status for self and family.

Domestic Partner Domestic partners are defined as two individuals who live together in a long-term relationship of indefinite duration, with an exclusive, mutual commitment similar to that of marriage in which the partners agree to be responsible for each other's welfare and share financial obligations.

IRS Eligible Dependent A person or persons who has been declared as a dependent under the primary occupant's US tax return for the tax year prior to the application for housing. The dependent must qualify as a dependent under the guidelines of the Internal Revenue Service of the United States regardless of the fact that the dependent may be considered as a dependent under the law of another nation.

WCMC Housing Buildings All housing properties operated by WCMC.

Domicile The residence where you have your permanent home or principal establishment and to where, whenever you are absent, you intend to return; every person is compelled to have one and only one domicile.

MEETING FAMILY HOUSING CRITERIA

I. MARRIAGE

- A. Present a valid marriage certificate.

II. DOMESTIC PARTNERSHIP

- A. To be considered for family housing as domestic partners at WCMC, two individuals must fulfill all of the following requirements.
 1. Current New York residents must have filed a *New York City Domestic Partnership Agreement* at the time of application. Those from outside New York City must present to the Housing Office a valid New York City Domestic Partnership Agreement within 30 days after arriving in New York City.
 2. Meet the legal age requirement for marriage and not be related by blood in a manner that would bar marriage in the state or country of the domiciled residence in effect at the time of application and be mutually competent to consent to a contract.
 3. Meet all legal age requirements concerning cohabitation with minors as required by New York State law.
 4. Be jointly responsible for each other's common welfare and share financial obligations, demonstrated by one (1) of the following which must have existed for a minimum of one year prior to filing an application for housing:
 - a. A joint mortgage or lease.
 - b. Ownership of an actively used joint bank account, joint credit account, or joint ownership of a motor vehicle.
 - c. Designation of domestic partner as primary beneficiary in a will or trust document.
 - d. Assignment of durable property or health care power of attorney to domestic partner.
 - e. Designation of domestic partner as beneficiary for life insurance or retirement benefits.
 - f. Registered as domestic partners in some other state or foreign country.
- B. Student applicants for domestic partnership:
 1. When applying for financial aid, you must provide the required financial information and documentation for both individuals of the domestic partnership. Financial aid decisions and awards will be based on the combined assets of the domestic partners.
 2. The WCMC Housing Office will send a letter to the Office of Financial Aid advising that one of all approved applications for domestic partnership.

III. **AFFIDAVIT**

All applicants for family housing whether married or in a domestic partnership must file a notari: *WEILL CORNELL MEDICAL COLLEGE AFFIDAVIT FOR FAMILY HOUSING*. Applications will be considered unless a valid affidavit is on file.

IV. **CHILDREN**

Provide a valid birth certificate, adoption papers (an application for adoption is NOT sufficient), passport indicating the parentage of the child.

V. **QUALIFYING IRS DEPENDENT**

A qualifying dependent is a person who has been declared as a dependent under the primary resident's United States Federal tax return for the year ~~before the~~ date of application for housing. The person must qualify as a dependent under the guidelines the Internal Revenue Service of the United States regardless of the fact that the person may be considered a dependent under the law of another nation.

CHANGE IN QUALIFYING STATUS

All individuals who obtain family housing must maintain eligibility ~~with WCMC housing~~. The Housing Office must be notified of the ~~termination of~~ marriage, domestic partnership, change in IRS dependent status within two weeks of such an occurrence. All family housing residents will be required to vacate the family housing unit to which they have been assigned if they no longer meet the minimum occupancy requirement for that particular unit. If requested, WCMC student/employee will be reassigned to appropriate other housing subject to availability. Failure to provide such information in a timely fashion will lead to loss of housing privileges.

FALSIFICATION OF DOCUMENTATION

Falsification of documents and records to certify eligibility for family housing ~~will~~ result in a loss of housing. Furthermore, any student or employee falsifying records will be sent for review under the provision of *the Code of Professional Conduct* for medical students and *the Code of Legislation of the Faculty and the Graduate School of Medical Sciences* for graduate students and employees.

NYC DOMESTIC PARTNERSHIP INFORMATION

Office of the City Clerk

(212) 669-8190

RELEVANT FACTORS FOR DOMICILE DETERMINATION

In determining domicile for the purposes of Housing, all surrounding circumstances, in addition to expressed intention, must be considered. The factors listed below are relevant in a determination of domicile:

1. Residence
2. Financial independence, income sources, and business pursuits
3. Residence for tax purposes
4. Place of voter registration
5. Marital status
6. Age
7. Situs of motor vehicle and other personal property registration
8. Situs of real and personal property
9. Location of checking and savings accounts
10. Place of employment
11. Telephone directory listing
12. Place of draft registration

An eligible applicant who is a member of the U.S. Armed Forces stationed out-of-state may qualify as a family member. Proof of domicile, referred to as a "Home of Record," must be submitted. Such records are on file at the person's military base.

Not all of the above factors need to be considered in a domicile determination, nor is the list exhaustive. Rather, a domicile determination depends upon a composite appraisal of all of the facts presented by each case. Conclusions must be based upon the weighting of the circumstances; no single factor is controlling and no all-embracing rules are possible. The determination of domicile is at the sole discretion of the WCMC Housing Office.