



**EFFECTIVE: AUGUST 1, 2020**

The community in which you are applying is an Affordable Housing Community currently managed by Mayfair Management Group and is designated to attract applicants for occupancy from all potentially eligible groups of people in the housing area regardless of race, color, religion, sex, national origin, disability, familial status, marital status, source of income, age, ancestry, medical condition, sexual orientation or any other arbitrary basis. The goal of this Tenant Selection Criteria is to establish a guideline for the selection of our residents in accordance with all governing agencies.

This Tenant Selection Criteria will be readily accessible within the leasing office and any/all additional places where applications are accepted. Copies of this Tenant Selection Criteria will be provided upon request to the applicant(s)/Tenant(s) or their representatives. All applicants 18 and older will be required to sign an acknowledgement form stating they have read and understand all criteria.

Mayfair Management Group will review this Tenant Selection Criteria at least once annually or when there is a change in regulations to ensure that it reflects current operating practices, program priorities, and program requirements. Should the criteria need to be revised, the modifications will not be applied to current tenants, current applicants whom applied prior to the changes or applicants on the waiting list whom are already in good standing under the lease or wait list. In addition, a copy of all changes will be communicated to current tenants in writing. For this reason, the Tenant Selection Criteria will always contain an effective date.

Mayfair Management Group has created additional policies & procedures in conjunction to this plan. These policies are also available for review within the leasing office and any/all additional places where applications are accepted.

Additional policies include: Waiting List Policy, VAWA Policy, Termination Policy & Reasonable Accommodation Policy

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### PRIVACY POLICY

It is the policy of this community to guard the privacy of individual's conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the community. Unless required by Federal or State Law, neither the community nor its agents shall disclose any personal information contained in its records to any person or agency unless the individual about whom information is requested shall give written consent to such disclosure. The community and its agents will also not make files, forms or documents available to any investigating officer unless a court order for such action is provided. This privacy policy in no way limits the community and its agents from collecting information needed to determine the eligibility and income to determine an applicant(s) suitability for tenancy.

### FAIR HOUSING & EQUAL OPPORTUNITY REQUIREMENTS

It is the policy of this community to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the VAWA Reauthorization Act of 2013 and any legislation protecting the individual rights of residents, applicants or staff which may subsequently be enacted. Screening criteria will be applied in a manner consistent with all applicable laws, including the State and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines and Department Rules. This Community shall not automatically deny admission to a particular group or category of otherwise eligible applicants.

The following factors will not be considered when making a decision to admit or reject an application:

- Race, Color, Religion, Ancestry, National Origin, VAWA, Age, Sex, Marital Status, Familial Status, Sexual Orientation, Medical Condition, Place of employment, Handicap or disability including mental or psychological illness or Gender Identity.

In addition, this Community will not:

- ✓ Deny to any applicant the opportunity to apply for housing nor deny any eligible applicant the opportunity to lease housing suitable to his/her needs;
- ✓ Provide housing which is different from that provided others
- ✓ Subject a person to segregation or disparate treatment
- ✓ Restrict a person's access to any benefit enjoyed by others in connection with the housing program
- ✓ Treat a person differently in determining eligibility or other requirements for admission
- ✓ Deny a person access to the same level of services; or
- ✓ Deny a person the opportunity to participate in a planning or advisory group that is an integral part of the housing program
- ✓ Exclude an individual or family from admission to the Community solely because the household participates in the HOME Tenant Based Rental Assistance Program, the housing choice voucher program under Section 8, United States Housing Act of 1937, or other federal, state or local government rental assistance program
- ✓ Deny admission on the basis that the applicant has been a victim of domestic violence, dating violence, sexual assault or stalking

#### Limited English Proficiency

This Community complies with Executive Order 13166 in its efforts to improve access to all of its programs and activities for persons who, as a result of national origin, are limited in their English proficiency. A separate Limited English Proficiency Plan and a Language Access Plan, which outlines the specific language assistance that is provided for persons who are limited in their English proficiency, is available for review upon request

Questions and inquiries regarding applicant treatment relative to Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Executive Order 11063, E.O. 13166 or the Fair Housing Act Amendments of 1988 should be addressed by mail to the following person, responsible for related policies:

**TENANT SELECTION CRITERIA**

If you are disabled or have difficulty understanding English, please request our assistance and we will ensure that you are provided with meaningful access based on your individual needs

Mayfair Management Group does not discriminate on the basis of disability status in the admission or access to, treatment or employment in, its federally assisted programs and activities. The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulations implementing Section 504 (24 CFR, Par 8 dated June 2, 1988)

Tamra Ryals

7920 Belt Line Road, Suite 800 | Dallas, TX 75254

Office – 214-265-7227 | TTY 800-735-2989

**REASONABLE ACCOMMODATIONS**

A reasonable accommodation is a change, exception, or adjustment to a program, service, building, dwelling unit, or workplace that will allow a qualified person with a disability to fully participate in a program, take advantage of a service, live in a dwelling unit, or perform a job. Reasonable accommodations may include changes in the method of administering policies, procedures, or services. Examples of reasonable accommodations include physical adaptations to units, live-in aides and assistance animals.

The Community will comply with state and federal fair housing and antidiscrimination laws; including, but not limited to, consideration of reasonable accommodations requested to complete the application process. It is the policy of this Community, pursuant to Section 504 of the Rehabilitation Act (if applicable) and the Federal Fair Housing Act to provide reasonable accommodations and modifications upon request to all applicants, residents, and employees with disabilities.

The Community will do its due diligence to identify and eliminate situations or procedures which create a barrier to equal housing opportunities for all. In accordance with Section 504, the Community will make reasonable accommodations for individuals with handicaps or disabilities as well as for individuals with limited English proficiency (applicants or residents).

For reasonable accommodations to apply there are several requirements. First, the applicant must have a verifiable disability (mental, developmental, or physical impairment that substantially limits one or more major life activities) as defined by the regulatory agency and as applicable to the Community's program type.

Next, the disability must have a direct correlation to the accommodation being requested by the applicant. And, the applicant must request a reasonable accommodation and provide verification of his/her disability and his/her need for the accommodation. Finally, for the accommodation to be reasonable it cannot result in a financial or administrative burden to the Community.

In some situations, even with reasonable accommodations, applicants with disabilities cannot meet essential project or program requirements. In these situations, the applicant would be considered ineligible and the application rejected.

Examples of such situations include cases where the applicant's behavior or performance in past housing caused a direct threat to the health or safety of persons or Community; past history or other information that shows the applicant's inability to comply with the terms of the Community's lease; or an objective determination that the applicant would require services from management that represent an alteration in the fundamental nature of the Community's program.

In providing reasonable accommodations for, or performing structural modifications for otherwise a qualified individual with disabilities, the Community is not required to:

- ✓ Make structural alterations that require the removal or altering of a load-bearing structure,
- ✓ Provide support services that are not already part of its housing programs,
- ✓ Take any action that would result in a fundamental alteration in the nature of the program or service, or
- ✓ Take any action that would result in an undue financial and administrative burden on the Community, including structural impracticality as defined in the Uniform Federal Accessibility Standards (UFAS).

If the site is unable to make a reasonable accommodation due to a resulting financial burden, the applicant may, at his/her own expense, make the accommodation after structural approval by management. Management may require that the tenant remove the accommodation (or have it removed) upon vacating the unit.

Live-In Aides are considered to be a reasonable accommodation. This Community must obtain verification that the Live-In Aide is needed to provide necessary supportive services essential to the care and well-being of the individual, and that there is a disability-related need for the Live-In Aide. This verification will be obtained from the individual's physician, medical practitioner or health care provider.

The Live-In Aide cannot stay in a HUD unit as a remaining family member, once the tenant who needs the services leaves the unit or dies. Live-In Aides who violate any of the Community's House Rules will be subject to eviction. Live-In Aides must meet the same screening criteria as any other applicant, with the exception of credit checks.

### **Assistance Animals**

Owner Representative will allow assistance animals, which are defined as an animal that works, provides assistance, performs tasks for the benefit of a person with disability, or provides emotional support to alleviate identified symptoms or effects of a person's disability. These animals, often referred to as assistive, service, support or therapy animals perform many disability-related services, including but not limited to guiding individuals who are blind, alerting individuals who are deaf, providing minimal protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures or providing emotional support to persons with disabilities who have a disability-related need for such support.

Assistance animals are permitted as a reasonable accommodation for persons with disabilities, once the need has been properly verified by a physician, psychiatrist, social worker, or other licensed medical professional.

There must be a direct relationship between the person's disability and his or her need for the animal. All state and local health, safety, and licensing laws apply. Refer to the Pet Rules for animal care responsibilities, as these rules apply to both assistive animals and household pets.

Management reserves the right to deny a specific assistance animal only if:

- ✓ There is documented proof, based on prior behavior of the animal, that it poses a direct threat to the health and safety of others that cannot be reduced or eliminated by a reasonable accommodation, or
- ✓ It can be specifically documented that the presence of the assistance animal would pose an undue financial and administrative burden to the provider, or
- ✓ Documented evidence must show that the presence of the assistance animal would fundamentally alter the nature of this Community's services.

No pet deposit or pet fee is required for assistive animals. Specific animal, breed, number, weight restrictions, and pet deposits will not apply to households who have a qualified service/assistance animal(s). If an accommodation for assistive animals causes a financial and/or administrative burden this community or becomes a danger to the safety of the other residents or staff, it will be asked that the assistive animal be removed by the Resident.

### **PROTECTIONS UNDER VAWA**

The Violence against Women Act (VAWA) provides protections to women or men who are the victims of domestic violence, dating violence, sexual assault and/or stalking. The owner/agent understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault and/or stalking, victims of violence have certain rights under the Violence against Women Reauthorization Act of 2013.

This policy is intended to support or assist victims of domestic violence, dating violence, sexual assault and/or stalking (hereafter referred to as VAWA crimes) and protect persons seeking to exercise VAWA protections, as well as affiliated



individuals (as defined by HUD), from being denied housing or from losing their housing/ HUD assisted housing as a consequence of their status as victim of VAWA crimes.

Only residents who are assisted by a covered housing program can invoke the VAWA protections that apply solely to residents. The term “resident” refers to an assisted family and the members of the household on their lease but does not include guests or unreported members of a household.

In addition, a live-in aide or caregiver is not a resident, unless otherwise provided by program regulations, and cannot invoke VAWA protections.

VAWA ensures that person seeking to exercise VAWA protections are not denied housing and housing assistance is not terminated solely because the person is a victim of an offense covered under the VAWA (domestic violence, dating violence, stalking and/or sexual assault).

However, being a victim of a VAWA crime is not a reason to change the eligibility or applicant screening requirements set forth in the tenant selection criteria unless such requirements interfere with protections provided under the VAWA. Being a person seeking to exercise VAWA protections of an offense covered under the VAWA is not a reason to waive requirements set forth in the HUD Model Lease or in any lease attachment or HUD approved lease addendum unless such requirements interfere with protections provided under the VAWA.

The owner/agent will not assume that any act is a result of abuse covered under the Violence against Women Act. In order to receive the protections outlined in the VAWA policy, the applicant/resident must specify that he/she wishes to exercise these protections.

If any applicant or resident wishes to exercise their VAWA protections, he/she should contact the owner/agent or Community management staff immediately. The owner/agent is committed to ensuring that the Privacy Act is enforced in this and all other situations.

### **Confidentiality**

The identity of the person seeking to exercise VAWA protections and all information provided to owner/agent relating to the incident(s) of abuse covered under the VAWA will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is

- ✓ Requested or consented to by the person seeking to exercise VAWA protections in writing;
- ✓ Required for use in an eviction proceeding or termination of assistance; or
- ✓ Otherwise required by applicable law

The owner/agent will retain all documentation relating to an individual’s domestic violence, dating violence, sexual assault and/or stalking in a separate file that is kept in a separate secure location from other applicant or resident files.

### **Requests & Certification**

When the owner/agent responds to a request for protections provided under the VAWA the owner/agent will request that an individual complete, sign, and submit a certification form. This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

The owner/agent understands that the delivery of the certification form to the applicant/resident via mail may place the person seeking to exercise VAWA protections at risk, (e.g., the abuser may monitor the mail). The owner/agent will work with the applicant/resident in making acceptable delivery arrangements, such as inviting them into the office to pick up the certification form or making other discreet arrangements.

If the applicant/resident has sought assistance in addressing VAWA crimes from a federal, state, tribal, territorial jurisdiction, local police or court, the applicant/resident may submit written proof of this outreach in lieu of the certification form. The owner/agent may accept the following:

- ✓ A federal, state, tribal, territorial, or local police record or court record or
- ✓ Documentation signed and attested to by a professional (employee, agent or volunteer of a person seeking to exercise VAWA protections service provider, an attorney, medical personnel, etc.) From whom the person seeking to exercise VAWA protections has sought assistance in addressing domestic violence, dating violence and/or stalking or the effects of the abuse.
- ✓ The signatory attests under penalty of perjury (28 U.S.C. §1746) to his/her belief that the incident in question represents bona fide abuse, and the person seeking to exercise VAWA protections of such crimes has signed or attested to the documentation.
- ✓ If the applicant is currently living in a shelter established to protect person seeking to exercise VAWA protections of violence covered under the VAWA, the owner/agent will accept verification of such living arrangement in lieu of the certification or other forms as noted above.
- ✓ The person seeking to exercise VAWA protections must provide such documentation within fourteen (14) business days of the request. The owner/agent may consider extending the deadline if requested and if specific circumstances prevent the person seeking to exercise VAWA protections from submitting the form within fourteen (14) business days.
- ✓ The person seeking to exercise VAWA protections is not required to name his/her abuser if doing so would result in imminent threat or if the person seeking to exercise VAWA protections does not know the name of his/her abuser.

To ensure that a person is not wrongly accused of committing an offense covered under the VAWA, the owner/agent will carefully evaluate abuse claims as to avoid denial, termination of assistance, termination of tenancy or eviction based on false or unsubstantiated accusations.

### **Criminal Background Check**

Domestic violence can often have negative criminal consequences for a victim of VAWA crimes. The perpetrator may cause damage to the victim's Community causing eviction. The perpetrator may force a victim to participate in criminal activity, or a victim may be arrested and/or listed on a police report as part of policies that require arresting both parties in a domestic disturbance. Management will take such extenuating circumstances into account and will not deny tenancy or occupancy rights based solely on these adverse factors that are a direct result of being a victim of VAWA crimes.

### **Credit Checks**

Domestic violence can often have negative economic consequences for a victim of VAWA crimes. The perpetrator may take out credit cards in a victim's name and ruin their credit history or cause damage to a victim's Community causing eviction. Management will take such extenuating circumstances into account and will not deny tenancy or occupancy rights based solely on these adverse factors that are a direct result of being a victim of VAWA crimes.

### **Rental History**

Domestic violence can often have negative consequences for a victim of VAWA crimes. The perpetrator may cause damage to a victim's Community causing eviction and/or poor rental history. The perpetrator may force a victim to participate in criminal activity or a victim may be arrested as part of policies that require arresting both parties in a domestic disturbance. Management will take such extenuating circumstances into account and will not deny tenancy or occupancy rights based solely on these adverse factors that are a direct result of being a victim of VAWA crimes.

The owner/agent will review and respond to requests to exercise protections provided under the VAWA within ten (10) business days of receiving all required documentation. The owner/agent may provide the response in any manner acceptable to the person seeking to exercise VAWA protections and the owner/agent. Responses include:

- ✓ Approval of the Request
- ✓ Denial of the Request
- ✓ Request for additional information



If the request is denied, the person seeking to exercise VAWA protections may appeal the decision. The appeal meeting will be conducted by someone who was not involved in the original decision to deny.

### **Lease Bifurcation**

If the owner/agent determines that physical abuse caused by a resident is clear and present, the law provides the owner/agent with the authority to bifurcate a lease (i.e., remove, evict, or terminate housing assistance to any abuser, while allowing the person seeking to exercise VAWA protections, who lawfully occupies the home, to maintain tenancy.)

The owner/agent may attempt to evict the abuser, but residents should know that state/local tenant/landlord laws prevail and the owner/agent must comply with such laws. The owner/agent cannot guarantee that a court will award or enforce an eviction.

Owner/agents must keep in mind that the eviction of or the termination action against the individual must be in accordance with the procedures prescribed by federal, state, and local law. The owner/agent is committed to attempting to assist the person seeking to exercise VAWA protections, however, evictions are generally carried out through the court system and the owner/agent cannot override or circumvent a legal decision.

In the event that one household member is removed from the unit because of engaging in acts of domestic violence, dating violence, sexual assault and/or stalking against another household member, an appropriate certification will be processed reflecting the change in household composition. Special consideration will be given if the remaining household members are not qualified to remain in the unit as a “remaining household member”.

If a lease is bifurcated or if a resident is evicted from the Community because of an offense covered under the Violence against Women Act, the person will be permanently barred from the Community.

Inviting a person evicted because of an offense covered under the Violence against Women Act or encouraging such person to remain on the Community is a lease violation. The resident agrees to notify the owner/agent and/or the local authorities if such person enters the Community.

### **Emergency Transfer**

The owner/agent will consider an Emergency Transfer Request when a person seeking to exercise VAWA protections feels that he/she is:

- ✓ In imminent danger
- ✓ Was sexually assaulted on the Community within 90 days of the request

The owner/agent will accept the Emergency Transfer Request directly from the person seeking to exercise VAWA protections or from an advocate working on behalf of the person seeking to exercise VAWA protections.

### **Lease Addendum**

VAWA lease addendum will be implemented and provided to households residing in HUD units in accordance with current and future HUD guidance.

For more information regarding VAWA Protections and Policies regarding this community, please review the Mayfair Management VAWA Policy.

## MARKETING

This Community enforces a marketing effort that attracts a broad cross-section of the eligible population without regard to Race, Color, Religion, Ancestry, National Origin, VAWA, Age, Sex, Marital Status, Familial Status, Sexual Orientation, Medical Condition, Place of employment, Handicap or disability including mental or psychological illness, Gender Identity or any other arbitrary basis.

### **Affirmative Fair Housing Marketing Plan (AFHMP)**

This Community complies with the requirements of the approved AFHMP established for the Community, which is designed to promote equal housing choice for all prospective residents. This Community will market at least quarterly but as needed to fill vacancies. The purpose of the plan is to ensure that eligible households of similar income levels will have a similar range of housing opportunities. The plan outlines marketing strategies this Community will use. Special efforts will be made to attract persons who are least likely to apply due to such factors as the racial or ethnic composition of the neighborhood. Marketing will also seek to reach persons with disabilities and potential applicants outside the immediate neighborhood if marketing only within the neighborhood would create a disparate impact against certain classes, such as the case of an entire neighborhood that includes no minorities.

This Community will review the AFHMP every five (5) years and update it as needed to ensure compliance with HUD regulations. If the demographics of the area have changed, This Community will determine whether advertising efforts should be targeted to different groups. The AFHMP will be revised whenever a substantial change takes place, or the local Consolidated Plan is updated. For further information, please reference the Biennial Affirmative Fair Housing Marketing Plan Policy & Procedure.

### **Monitoring and Documenting Marketing Activities**

This Community will monitor marketing efforts and document the results in writing. The documentation will be made available, upon request for all marketing activities to show consistency with affirmative fair housing marketing requirements and the approved plan for this Community. This documentation will include copies of media and marketing materials, records of marketing activities conducted, and documentation of any special marketing activities conducted in accordance with this Community approved AFHMP and placed in Community marketing binder.

### **Form of Advertisement**

All advertising for this Community includes the HUD-approved Equal Housing Opportunity logo, the Equal Housing Opportunity slogan or an equal housing statement. All advertising using human models will depict members of all eligible protected classes including individuals from both majority and minority groups.

### **Fair Housing Poster**

This Community has posted the required Equal Housing Opportunity poster in a window of the Leasing Office that can be seen from outside, so that it is readily apparent to all persons seeking housing.

## **PROJECT ELIGIBILITY REQUIREMENTS**

This Community will review all of the following criteria to establish household project eligibility. The screening criteria will be applied uniformly and, in a manner, consistent with all applicable law, including the state and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines and the Departments Rules. Certain key questions relating to the applicant's eligibility and resident history will be asked, including Social Security numbers or other sort of identification, the names, addresses and telephone numbers of current and former landlords. Failure to provide this information will result in cessation of application processing. Community staff will assist applicants, as needed in understanding the application process and forms. Applicants will be instructed on what aspects of their background will be checked. An applicant has the right to voluntarily withdraw from the application process at any time. Live in Aids will be subject to the same general screening criteria as household members, except that Live-in Aids will not be screened for their ability to pay rent.

### **Occupancy Standards**

Occupancy Standards is the maximum number of occupants that can reside in a unit. Units are assigned according to household size and composition. This Community has adopted a minimum bedroom size of one person per bedroom and a maximum of no more than 2 person per bedroom plus 1 person per unit. This standard serves to avoid overcrowding and ensure consistency. If the appropriate unit size is not available at the time of application, the applicant will be put on the Waiting List for the appropriate unit size.

| Bedroom  | Minimum | Maximum |
|--|---------|---------|
| Studio/Efficiency/Loft<br><i>(Greater than 600Sq.Ft)</i> | 1       | 3       |
| 1 Bedroom  | 1       | 3       |
| 2 Bedrooms   | 2       | 5       |
| 3 Bedrooms   | 3       | 7       |
| 4 Bedrooms   | 4       | 9       |
| 5 Bedrooms   | 5       | 11      |

This Community will rely on the applicant’s disclosure of all member’s expected to reside in the unit for the next 12 months when determining household size and the appropriate unit size. Please note that children who join the household after the start of a lease term will not be cause for a household to be in violation of their lease.

Household members also include but are not limited to the following:

- ✓ Child(ren) expected to be born to a pregnant woman
- ✓ Minor(s) in the process of being adopted by an adult household member
- ✓ Minor(s) whose custody is being obtained by an adult household member
- ✓ Individuals who are temporarily in a foster home who will return to the household
- ✓ Minor(s) in joint custody arrangements who are present in the household 50% or more of the time
- ✓ Any Individual who is away at school and who live at home during recesses
- ✓ Any Individual temporarily in a correctional facility / detention center who will return to the household
- ✓ Household members permanently confined to a Hospital / Nursing Home as requested by Applicant
- ✓ Household member of Military Personnel deployed to active duty

After moving in, if changes in household composition cause a household to become over housed or under housed, the family must transfer, within 30 days, to the first available unit of the proper size based on these occupancy standards. Failure to transfer to an available unit will result in termination of assistance. The family will be permitted to remain in the current unit but will be required to pay the market rent.

**Rental History**

Past performance for meeting financial rent and current lease compliance obligations will be checked by contacting the current landlord and at least one prior landlord if needed. Applicant(s) must have at least 6 months’ worth of verifiable and positive residency history. Verification must be completed/provided by Apartment community or organization. Verification cannot be made by an individual unless proof of timely payment history can be provided. A mortgage must be verifiable via credit report or formal written documentation of home ownership provided

First time renters whom meet all other criteria will receive a conditional approval and be required to pay an additional security deposit.

Community staff will check county court records for evidence of evictions or judgments against the applicant. The purpose of these checks is to obtain information on the applicant’s past history of meeting financial rent obligations, future ability to make timely rent payments and to determine whether the applicant has ever been evicted from a rental unit. If the applicants current living arrangements are with a household member, then two previous landlords may be contacted.

➤ **Rental Debt:**

Applicant(s) will be denied for the following:

- Unresolved tax liens
- Unpaid rental housing debt within the past 36 months

- Eviction within the past 12 months
  - Prior landlord reference shows that the landlord would not lease to the household again due to lease violations
  - Unpaid rental housing debt owed to a Community that is currently managed by Mayfair Management
- **Disturbance(s)**: Community staff will check with the current landlord and at least one former landlord for potential problems regarding documented disturbance of neighbors or destruction of Community that would pose a threat to the health and safety of other residents and/or Community. An applicant's behavior toward Community staff will be considered in relation to future behavior toward neighbors. Physical or verbal abuse or threats by an applicant toward staff will be noted in the file and may be grounds for denial of residency
- **Housekeeping Habits**: All landlords contacted for rental history will also be questioned regarding the applicant's housekeeping habits, to determine the maintenance of the present home in regard to sanitary conditions and fire and safety standards. This includes but is not limited to causing or permitting infestation, foul odors or other issues injurious to other persons' health, welfare or enjoyment of the premises; depositing garbage improperly; failing to use in a reasonable and proper manner all utilities, facilities, services, appliances and equipment within the dwelling unit, or failing to maintain them in good clean condition; or any other conduct or neglect which could result in health or safety problems or in damage to the premises

### **Residence in other HUD assisted housing**

Applicant households must disclose if any household member is currently receiving HUD housing assistance. Households are not permitted to receive assistance in multiple households for the same time period, or to receive assistance if more than one residence will be maintained. This Community will prohibit admission of any household containing any member who was evicted in the last 3 years from federally assisted housing for drug-related criminal activity. Applicants currently living in other HUD-assisted housing may apply to this Community. However, the applicant must move out of the current Community before HUD assistance can begin at this Community. Special circumstances exist:

- ✓ For minor children where both parents legally share 50% custody, and
- ✓ For HUD-assisted household members in another Community who are moving in order to establish a new household, when remaining family members will stay in the old unit.

Management will use the EIV (computerized Enterprise Income Verification) system's Existing Tenant Search report to identify household members who currently reside in HUD's Public and Indian Housing, or Multifamily programs.

This report will be printed for each member of the applicant family when processing the applicant for admission, prior to offering a unit. This Report will also be printed for individuals (including Live-In Aides) who wish to move into an already-existing tenant household.

If any family member is currently living in another PIH/MF assisted unit, plans to vacate that unit will be discussed with the applicant. Move-Out/Move-In dates will be coordinated with management at the other assisted Community to avoid HUD being billed for double subsidy. Results of discussions with the applicant and/or other site will be recorded on the Existing Tenant Search.

If any member of the applicant household fails to accurately disclose his/her rental status, the application may be denied based on "misrepresentation of information."

After move-in, if any household member receives, or tries to receive, HUD housing assistance at another Community while still living at this Community, the household will be required to repay HUD for all overpaid assistance.

Prior to receiving the keys to the apartment on move-in day, the applicant is required to provide proof that the family has moved out of prior HUD-assisted housing (if applicable). This can consist of any of the following documents:

- ✓ Copy of signed, dated move-out inspection report
- ✓ Hand-written note from the prior landlord (signed and dated), on Community letterhead, stating that the keys to the prior unit have been returned
- ✓ Copy of the move-out 50059A certification form from the prior Community
- ✓ For applicants who move into the Community, the Existing Tenant Search report(s), along with all documentation, will be kept in the tenant file with the application for the term of tenancy plus three years. For applicants who do not move in, the report(s) and documentation will be retained, along with the application, for three years.

### **Sex Offender Registry Checks**

This Community will deny admission to any member of the household that is subject to a lifetime registration requirement under a state sex offender registration program. In accordance with Federal Law, this Community is establishing this standard to prohibit admission to this federally assisted Community to sex offenders subject to a lifetime registration requirement under a state sex offender registration program. During the admission screening process, the community staff will perform the necessary criminal history background checks in the state where the housing is located and in other states where the household members are known to have resided.

Prior to offering a unit, a criminal background check to determine whether any household member is subject to a lifetime sex offender registration requirement will be completed.

Search results will be kept with the application, in the tenant file, for the term of tenancy plus three years for HUD compliance. For rejected applicants, search results will be kept with the application for three years.

If, after moving in, management discovers that a tenant was admitted in error (s/he was admitted after June 25, 2001 and was subject to a state's lifetime registration requirement), eviction will be pursued immediately.

If any member of the applicant family is listed on any state's sex offender registry, the household's application will be rejected. The written rejection notice will clearly state this as the reason that the family is being denied admission.

At each Annual Recertification, management will ask whether any member of the household is subject to any state's lifetime sex offender registration program. Management will then verify using the applicable screening service. If the household moved in after June 25, 2001, and this process reveals that the tenant falsified information or failed to disclose criminal history, or that management did not adequately check all states where the household member lived, subsidy termination and eviction will be immediately pursued.

### **Drug Abuse & other Criminal Activity**

This Community will reject a household in which any member is currently engaged in illegal use of drugs or which shows a pattern of illegal drug use that may interfere with the health, safety, and right to peaceful enjoyment of the Community by other residents.

The Community will reject a household in which any member shows a pattern of alcohol abuse that may interfere with the health, safety, and right to peaceful enjoyment of the Community by other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.

Despite any changes to state laws, the use of "medical marijuana" is illegal under federal law. HUD requires that owners deny admission to any household with a member who the owner determines is, at the time of application for admission, illegally using marijuana.

When reviewing the criminal history of a household member, this Community will take into consideration the severity, number of occurrences and date of all reported offenses.



This Community will deny admission to a household in the event that any of the items listed below are discovered during the screening process.

#### Felony Conviction(s)

- A household member has a Felony conviction(s) for Homicide, Manslaughter, Kidnapping, Hostage, Robbery, Attempted Murder, Assault, Attempted Assault, False Imprisonment, Battery, Vehicular Manslaughter, Burglary, Larceny, Sexual Assault, Rape, Seduction, Molestation, Indecent Exposure, Sexual Exploitation of child, Sodomy, Prostitution, Pimping, Obscenity, Abandonment, Neglect of Children, Spousal Abuse, Domestic Violence, Child Abuse, Child abduction, Bigamy, Incest, Trafficking in Children
- A household member has a Felony conviction(s) within the last 15 years for offenses involving firearms and/or illegal drugs
- A household member has a Felony conviction(s) within the last 10 years for offenses involving fraud, offenses against government, offenses against public peace, offenses involving organized crime, offenses involving alcohol, offenses against Community
- A household member has a Felony conviction(s) within the last 7 years for offenses involving gambling and or/ other victimless offenses
- A household member has a Felony Conviction(s) within the last 5 years for offenses involving computers and/or offenses against animals

#### Misdemeanor Conviction(s)

- A household member has a Misdemeanor conviction(s) within the last 10 years for offenses against person(s)
- A household member has a Misdemeanor conviction(s) within the last 7 years for offenses involving sex
- A household member has a Misdemeanor conviction(s) within the last 5 years for offenses involving family relations, offenses involving firearms, offenses involving illegal drugs
- A household member has a Misdemeanor conviction(s) within the last year for offenses involving fraud, offenses against Community, offenses against animals

#### Felony Charge(s)

- A household member has a Felony charge(s) within the last 3 years for offenses against Community, offenses against animals, offenses against person, offenses involving fraud, offenses involving computers, offenses involving family relations, offenses against government, offenses against public peace, offenses involving gambling, offenses involving firearms, offenses involving organized crime, offenses involving illegal drugs, offenses involving sex, offenses involving alcohol, other victimless offenses

**NOTE:** A charge is a formal allegation of an offense made. A conviction is when an individual has been proven or declared guilty of an offense

This Community shall not consider an arrest for a disqualifying offense as proof that the applicant or tenant engaged in disqualifying criminal activity. The arrest may, however, trigger an investigation to determine whether the applicant or tenant actually engaged in disqualifying criminal activity. As part of our investigation, we may obtain the police report associated with the arrest and consider the reported circumstances of the arrest. The Community may also consider any statements made by witnesses or the applicant or tenant not included in the police report; whether criminal charges were filed; whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal; and any other evidence relevant to determining whether or not the applicant or tenant engaged in disqualifying activity.

### PROGRAM ELIGIBILITY REQUIREMENTS

This Community is an affordable housing community that is administered by HUD. All households will be screened for eligibility in accordance with the rules and regulations set forth in the HUD 4350.3. To be eligible, a household must meet all of the following:



### **General Eligibility Requirements**

- ✓ All adults, as well as any adjudicated minors who are the Head, Spouse or Co-Head in each applicant family must sign and date an Authorization for Release of Information (HUD 9887/9887A) prior to receiving assistance, and annually thereafter (*HUD programmatic requirement only*).
- ✓ The unit for which the family is applying must be the only residence of each household member.
- ✓ An applicant must agree to pay the rent required by the program under which the applicant will receive assistance.

### **Social Security Numbers**

In order to determine eligibility and offer a unit, HUD requires every household member, including live-in aides, foster children and fostered adults (unless the household is an Exception as noted below) to have a Social Security Number (SSN). In addition, the applicant family must provide (for management to copy) a valid Social Security card issued by the Social Security Administration for each household member.

If the household member cannot produce his/her valid Social Security card, at least one of the following alternative documents must be provided as documentation:

- ✓ An original document issued by a federal or state government agency which shows the person's name and SSN along with other identifying information
- ✓ Driver's license that shows the Social Security Number
- ✓ Earnings statement on payroll stubs
- ✓ Bank statement or Form 1099
- ✓ Retirement benefit letter
- ✓ Life insurance policy or court records
- ✓ Other evidence that HUD designates as acceptable

After making a copy of the Social Security card the original will be returned to the applicant. After the electronic transmission of the Move-In certification, the SSN will be verified via the EIV computer matching program with the Social Security Administration, and a copy of that verification (EIV Income Summary Report) will be retained in the tenant file.

### **Exceptions:**

- ✓ Individuals who acknowledge that they are not entitled to housing assistance because they do not have eligible immigration status. If the applicable State should prohibit a Head of Household with ineligible immigration status from executing a lease, and the Head is ineligible, the family cannot be offered a unit. This is documented by the household member's Citizenship Declaration, showing that the individual did not contend eligible immigration status. Mixed households with unassisted, ineligible noncitizens can be admitted with prorated assistance, even though the unassisted individuals do not have SSN documentation.
- ✓ Household members who were age 62+ as of 1/31/10 AND whose initial determination of eligibility had already begun prior to 1/31/10
- ✓ Persons who previously lived in either a Public and Indian Housing or Multifamily HUD- assisted program will have 50058 or 50059 move-in certifications, with effective dates to support this exception. Documentation must be obtained from the prior Community (not from the applicant) and will be kept in the tenant file. Exception status for these individuals remains valid, even when the person moves to another HUD-assisted program, and/or if there is a break in tenancy.
- ✓ A child under the age of 6 years old added to the applicant household within the 6-month period prior to the household's date of admission. The household will have a maximum of 90 days after the date of admission to provide the Social Security Number and appropriate documentation. A 90-day extension may be granted under certain circumstances. If the household does not provide the Social Security number and appropriate documentation within the prescribed timeframe, HUD regulations require that the household's tenancy be terminated.

➤ Timeframes for providing Social Security Numbers and documentation

Although applicants are not required to provide Social Security Number documentation when the application is submitted, documentation for all non-exempt household members must be provided before a household can be housed. If there is missing SSN documentation for any non-exempt household member when the household reaches the top of the waiting list and a unit is available, then the household will be skipped, in order to admit the next eligible household.

The skipped applicant household may keep its position on the waiting list for 90 days from the date they are first offered a unit, to allow them time to provide acceptable SSN documentation. After 90 days, if any household member has not provided SSN documentation, the household will be determined as ineligible and will be removed from the waiting list.

➤ Adding household members after move-in

For a new member, regardless of age, who has a social security number, SSN documentation must be provided no later than the processing of the certification that adds the new person to the household. If the new member is a child under the age of 6 without a social security number, the household has 90 days to provide SSN documentation. An additional 90 days will be granted only if failure to provide documentation is due to circumstances beyond the tenant's control.

During this time, the child will appear on tenant certifications with all appropriate benefits and deductions and a TRACS ID will be assigned by HUD. When the SSN documentation is provided, an interim certification will be processed to change the TRACS ID to the verified SSN. If acceptable SSN documentation is not provided by the deadline date, eviction proceedings will begin to terminate tenancy of the household, since the household will be in non-compliance with its lease.

**Citizenship Requirements**

Each family member must have U.S. citizenship, naturalization, and/or verified eligible immigration status, if under 62 years of age, to qualify for subsidy.

A person claiming to be an eligible non-citizen who is under age 62, must sign a Verification Consent Form and present one of the following documents, along with the completed application, or prior to the determination of eligibility:

- ✓ Form I-551, Permanent Resident Card
- ✓ Form I-94, Arrival Departure Record, with one of the following annotations:
- ✓ "Admitted as refugee Pursuant to section 207", or
- ✓ "Section 208" or "Asylum", or
- ✓ "Section 243(h)" or "Deportation stayed by Attorney General", or
- ✓ "Paroled Pursuant to Sec. 212(d)(5) of the INA".
- ✓ If Form I-94 is not annotated, one of the following documents must be provided:
- ✓ Final court decision granting asylum, but only if no appeal is taken, or
- ✓ Letter from a DHS asylum officer granting asylum (if application was filed on/after 10/1/90), or from a DHS district director granting asylum (if application was filed before 10/1/90), or
- ✓ Court decision granting withholding of deportation, or
- ✓ Letter from a DHS asylum officer granting withholding of deportation (if application was filed on/after 10/1/90)
- ✓ Receipt issued by the DHS indicating that an application for issuance of a replacement document in one of the above-listed categories has been made and that the applicant's entitlement to the document has been verified.

Other acceptable evidence; other documents determined by the DHS to constitute acceptable evidence of eligible immigration status, as announced by notice published in the Federal Register.

All persons claiming to be eligible non-citizens, who are under age 62, will have their citizenship eligibility status verified through the computerized SAVE System provided by the Department of Homeland Security (DHS).

If secondary verification is necessary and is not provided within the SAVE System, immigration status will be verified using the paper process. A completed Document Verification Request, Form G-845S, and photocopies of the immigration

documentation provided by the applicant will be mailed to the local immigration office to receive verification of the validity of the documents.

Documents that are not originals, or that have been altered, are mutilated or are illegible, or that appear to be forged, will be rejected. In this case, management will explain the reason why the document is not acceptable and will request the submission of acceptable documentation within a reasonable time frame, prior to a unit being offered.

### **Income Limits**

An income limit is the maximum amount of gross annual income that a household can earn to qualify for tenancy at an affordable housing community. HUD establishes and publishes income limits for each county or MSA in the county on a yearly basis.

The income limits applicable to an affordable community depend heavily on a multitude of factors. A community with multiple program types may have to regulate 2 sets of income limits to ensure compliance. In these instances, applicants/tenants must satisfy all income limit requirements to qualify. The income limit applicable to each household will depend on the number of household members as well as the income tier for the unit in which they are applying. At the time of application, site representatives will supply you with the income limit applicable to your household.

### **Student Eligibility**

Student eligibility is determined at move-in/initial certification and at each annual certification. Student eligibility may also be reviewed at interim certification if student status has changed since the last certification.

A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall be provided to any individual who is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential; when the student:

- ✓ Is living with his or her parents who are receiving Section 8 assistance
- ✓ Is individually eligible to receive Section 8 assistance or has parents who are income eligible to receive Section 8 assistance.
- ✓ Is a veteran of the United States military;
- ✓ Is married;
- ✓ Has a dependent other than a spouse (e.g. dependent child);
- ✓ Is at least 24 years of age;
- ✓ Is a person with disabilities, as such term is defined in section 3(b)(3)(E) of the 1937 Act and was receiving assistance under section 8 of the 1937 Act as of November 30, 2005;
- ✓ Is classified as Vulnerable Youth; A student meets HUD's definition of a vulnerable youth when:
- ✓ The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
- ✓ The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
- ✓ The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by
- ✓ A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
- ✓ The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
- ✓ The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
- ✓ A financial aid administrator; or
- ✓ The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances

If a student does not meet the eligibility criteria above, but can prove independence from parents under HUD rules, then the student would meet HUD's student eligibility criteria. Please see Community staff if you need additional information about proving independence from parents.

If an ineligible student applies for or is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated.

**NOTE:** An owner cannot evict or require an ineligible student to move from a unit as long as the student is in compliance with the terms of the lease.

Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition and other fees is included in annual income, except:

- ✓ If the student is over the age of 23 with dependent children or
- ✓ If the student is living with his or her parents who are receiving section 8 assistance

Financial assistance that is provided by persons not living in the unit is not part of annual income if the student meets the Department of Education's definition of "vulnerable youth".

The definition of tuition is consistent with the definition provided by the Department of Education.

Noncitizen students and their noncitizen families may not receive assistance. Noncitizen students are not eligible for continuation of assistance or temporary deferral of termination of assistance. A noncitizen student is defined as an individual who is as follows:

- ✓ A resident of another country to which the individual intends to return;
- ✓ A bona fide student pursuing a course of study in the United States; and
- ✓ A person admitted to the United States solely for the purpose of pursuing a course of study as indicated on an F-1 or M-1 student visa.

This prohibition applies to the noncitizen student's noncitizen spouse and noncitizen children. However, spouses and children who are U.S. citizens may receive assistance. For example, a family that includes a noncitizen student married to a U.S. citizen is a mixed family.

## WAITING LIST

It is the Community's policy to administer its waiting list as required by the HUD handbook and regulations and maintains a digital waiting list that can be sorted by unit type.

### Placement

Applicants will only be added to the waiting list if there are no vacant units available for the applicant desired unit type. Prior to being placed on the waiting list, all applicants must complete the following forms:

- ✓ Acknowledgement of Tenant Selection Criteria
- ✓ Pre-Qualification Questionnaire
- ✓ In-Take Application
- ✓ All household members of the age of 18 must complete an application
- ✓ It is acceptable for applicants who are married to fill out one application
- ✓ The 9887 & 9887A Tenant Release

Once all applicant(s) have successfully completed all forms, onsite personnel will place the applicant(s) on the appropriate waiting list per the Community's occupancy standards. The applicant(s) will then be provided a "Now that you are on the Waiting List, what's next" form. This form will detail date of waiting list placement and pertinent information regarding updates and how to check the placement status. The head of household must sign in acknowledgement of all information.

### **Maintaining the Waiting List**

In order to maintain a balanced application pool, the Community may, at its discretion, restrict application taking, suspend accepting application, and close waiting lists in whole or in part. Decisions about closing the waiting list will be based on the number of applications available for a particular unit size, and the ability of the Community to house an applicant within a 1-year period.

Closing and reopening of the waiting list, as well as any restrictions on accepting applications, will be publicly announced in publication(s) likely to be read by potential applicants. Advertisements will include information about where and when to apply and will conform to the advertising and outreach practices described in the Community's Affirmative Fair Housing Marketing Plan. During the period when the waiting list is closed, the Community will not maintain a list of individuals who wish to be notified when the waiting list is reopened.

### **Updating the Waiting List**

The Waiting List will be updated on a continuing basis. Applicants are required to contact the Community via any means every six (6) months (or as needed) to validate or update previously provided information. Such information could include:

- ✓ Change in contact information (phone #, email or address)
- ✓ Change in income
- ✓ Change in family composition
- ✓ Change in circumstance
- ✓ Change in preference

A letter will be sent to each applicant, asking for outdated information to be updated in writing, and asking whether the applicant wishes to remain on the waiting list or not. Confirmation must be returned to the Community within 2 weeks.

Upon request, assistance will be provided to any applicant households with disabilities or limited English proficiency, to enable them to meet this deadline.

When applicants notify the Community of changes in household composition, the waiting list information will be updated, and a determination will be made as to whether the household needs a different unit size. The household will keep its original application date and place on the waiting list in the event of this type of change.

### **Removal from the Waiting List**

The Community will not remove an applicant's name from the Waiting List unless:

- ✓ The applicant was clearly told, in writing, of the requirement to advise the Community of his/her continued interest in housing by a particular time, and failed to do so, even after being provided with reasonable accommodations in the event of handicap or disability.
- ✓ The Community attempted to contact the applicant in writing, but the letter was returned by the U.S. Postal Service as undeliverable.
- ✓ The Community has notified the applicant, in writing, of its intention to remove the applicant's name because the applicant no longer qualifies for assisted housing.
- ✓ The applicant refused two offers of units for other than a verifiable medically-related reason, by a medical professional.
- ✓ The applicant accepted an offer of a unit but failed to move in on time, without notice.
- ✓ The applicant household needs a different size unit due to a household composition change, and the Community has no units of that size.
- ✓ The applicant household failed to provide SSN documentation for any non-exempt household member after the expiration of the provided grace period.

If after removal, applicant(s) declare continued interest, applicant(s) will be placed at the bottom of the Waiting List.



**TENANT SELECTION CRITERIA**

Each Applicant who is no longer interested in or who no longer qualifies for assisted housing will be notified in writing within 7 days and given 14 days to dispute. The applicant is responsible to update the application with any changes that may occur to remain active on the current waiting list.

**Preferences & Priority for filling vacancies**

Preferences affect only the order applicants are selected from the waiting list. They do not make anyone eligible who was not otherwise eligible. Preferences are not permitted if they, in any way, interfere with affirmative marketing efforts or fair housing requirements. This Community will select names from the waiting list to fill vacancies in chronological order with the exception of the preferences identified below:

- ✓ In house transfer
- ✓ Handicapped Unit Preference: A household that includes a person with disabilities that would benefit from a fully accessible unit
- ✓ Hearing and Visual Preference: A household that includes a person with disabilities that would benefit from a hearing and visual aided unit
- ✓ Violence Against Women Act invoked (VAWA): A household that includes a person that is a victim of domestic violence
- ✓ Displacement: A family who has been displaced by government action or a presidentially declared disaster
- ✓ Income Level: Depending on the unit that is vacant a household with a specific income level may need to be selected in order to meet program requirements. This will be used on HUD properties to meet the 40% ELI requirement
- ✓ Community Specific preferences (Examples are as follows)
- ✓ Tenant Populations with Special Needs: Communities that are required to have a certain percentage of their population set aside with Persons with Special Needs will give preference to a household that meets the criteria when the designated percentage is not met
- ✓ Senior Preference: Communities that are required to have 80% of their population set aside for households containing at least one person 55 years of age or older

| Name                                | Code     | Description   | Weight | Verification  |
|-------------------------------------|----------|---|--------|---|
| In house transfer                   | Ouh      | Over Housed / Under Housed  | 9      | Certification declaring all current household members                     |
| In house transfer                   | Transfer | Tenant(s) are requesting transfer due to 1 or more of the approved reason for transfer                                    | 8      | Tenant transfer request and disclosure of reason for request              |
| Reasonable Accommodation            | ReasAcc  | Transfer request based on a Reasonable Accommodation  | 9      | Tenant request and verification of need from 3 <sup>rd</sup> party source |
| Handicapped Unit Preference         | DIS      | A household that includes a person with disabilities that would benefit from a fully accessible unit                      | 2      | Tenant request and verification of need from 3 <sup>rd</sup> party source |
| Hearing and Visual Preference       | HAV      | A household that includes a person with disabilities that would benefit from a hearing & visual aided unit                | 2      | Tenant request and verification of need from 3 <sup>rd</sup> party source |
| Violence Against Women’s Act (VAWA) | VAWA     | A household that includes a person that is a victim of domestic violence, dating violence, sexual assault and/or stalking | 10     | Completion of VAWA Certification form                                     |



**TENANT SELECTION CRITERIA**

|              |     |  |   |   |
|--------------|-----|--|---|---|
| Displacement | DSP | A family who has been displaced by government action or a presidentially declared disaster   | 4 | Verification / Viable documentation of previous address |
| Income Level | INC | Depending on the unit that is available, applicant(s) with a specific income level may be needed to be selected in order to meet program requirements. | 0 | Income Verification                                     |

For additional information regarding this Communities Waiting List policies & procedures, please see the Mayfair Management Waiting List and Transfer Policy.

**Tenant Interviews**

As the applicant approaches the top of the waiting list, management will interview the applicant and explain the regulations and policies associated with the Community. The interview will be conducted in accordance with the applicable program rules associated with the available unit and topics may include, but are not limited to:

- ✓ Income/asset information
- ✓ Expense information
- ✓ Household composition
- ✓ Tenant-paid utilities
- ✓ The requirement for all household members age 18+ to sign consent for release of information forms
- ✓ Proof of legal residence will be collected
- ✓ HUD-required Citizenship Declaration forms will be collected for each household member
- ✓ Applicant’s ability and willingness to comply with the terms of the Community’s lease and community’s policies
- ✓ Preferences
- ✓ HUD-required SSN documentation will be collected for all household members

**INCOME TARGETING**

At least forty percent (40%) of all available HUD units (withing each project fiscal year) will be offered to families who are at or below Extremely Low Income Limit as established by HUD.

Thus fa, management of the waiting list based on date and time stamp has achieved this requirement. As such, eligible applicants will continue to be offered available units based on the date and time of application receipt. This will be clearly written or stamped on the applicant along with the initials of the individual accepting the application.

If the community’s fiscal year threshold falls below the 40% threshold at any time, the property will select eligible applicants from the waiting list whose income is at or below the extremely low income limit on an alternating basis to fill vacancies. Management will select the first extremely low income applicant on the waiting list (which may mean skipping over applicants with higher incomes) for the available unit, and then select the next eligible applicant currently at the top of the waiting list (regardless of income level) for the next available unit. As subsequent units become available, tenant selection will continue to alternate between the next extremely low income applicant and the eligible applicant at the top of the waiting list until the 40% target is reached. To ensure that the 40% targeting requirement is met, the waiting list will be monitored, and appropriate documentation will be kept on file.

**OFFERING A UNIT**

When an apartment becomes available for occupancy, it will be offered to the applicant at the top of the waiting list for the apartment size. The alternating method for meeting income targeting requirements may be used which may cause the applicant at the top of the waiting list to be passed over in order to admit an applicant at the Extremely Low income limit.

Eligible families with handicapped/disabled members needing specific handicap features of a unit will be selected first, for available units which are accessible in ways specifically adapted for their use.

If a household requests to be placed on the waiting list for more than one unit size the applicant will be notified when s/he nears the top of the waiting list for which a unit becomes available first. The applicant may refuse the first unit type and continue to wait for the other unit type with no change in waitlist position for the other unit type. If the next unit available is not the other unit type, the household must either occupy the vacant unit offered, or be placed at the bottom of the waitlist for the other unit type.

Although applicants other than the Head of Household are not required to provide Social Security Number documentation when the application is submitted, documentation for all non-exempt household members must be provided before a household can be housed in a HUD unit. If there is missing SSN documentation for any non-exempt household member when the household reaches the top of the waiting list and a unit is available, then the household will be skipped, in order to admit the next eligible household.

The skipped applicant household may keep its position on the waiting list for 90 days from the date they are first offered a unit, to allow them time to provide acceptable SSN documentation. After 90 days, if any household member has not provided SSN documentation, the household will be determined as ineligible and will be removed from the HUD waiting list.

If an applicant rejects an offer without good cause, the applicant is removed from all waiting lists. "Good cause" includes, but is not limited to, medical reasons, recent death of a close family member, desire to give 30-day notice to the family's existing Community, and rejection of a unit because the available unit is close to a unit with an assistance animal or pet to which someone in the applicant family is allergic. When a unit is rejected for good cause, the applicant will keep his/her place on the waiting list, and management will offer the available unit to the next applicant.

When an applicant reaches the top of the waiting list, onsite personnel will continue to contact the applicant(s) for 3 business days.

- ✓ If the applicant(s) do not respond within 1 business days of the initial telephone call, onsite personnel will mail a copy of the "Now that you are on the Waiting List, what's next" form
- ✓ Onsite personnel will then proceed to contact the next applicant(s) on the Waiting List to begin the Application process
- ✓ Should the initial applicant(s) not respond to the mailed "Now that you are on the Waiting List, what's next" form within 2 weeks from the date mailed, they will be removed from the Waiting List
- ✓ At this time, onsite personnel will proceed in offering the available unit to the next applicant(s) on the Waiting List
- ✓ If the applicant(s) responds however is unable to accept the unit when offered, the applicant(s) will return their current place on the Waiting List. If a unit is rejected 2 times than the applicant(s) will be removed from the Waiting List
- ✓ If applicant(s) are unable to establish utilities in their name by the scheduled move in date than applicant(s) will be skipped. In the event that this occurs twice, said applicant(s) will be removed from the Waiting List

Management will schedule a final screening appointment within 10 business days of applicant confirmation of interest. The applicant must come into the office for this appointment and must bring all items requested by management. If the applicant fails to attend and/or fails to supply all items, the unit will be offered to the next applicant on the list. The first applicant will retain his/her place on the waiting list the first time this occurs. If the applicant fails to attend a second scheduled interview and/or fails to supply all required items a second time, the applicant will be removed from all waiting lists.

Any family placed in a HUD unit that differs from the allowable unit size defined in the Community's Occupancy Standards must agree to transfer to an appropriate size HUD unit when one becomes available, in accordance with the Transfer Policy. If an applicant fails to move in on the agreed-upon date without notice, the application will be rejected, the applicant's name will be removed from all waiting lists and the apartment will be offered to the next household on the waiting list. An exception will be made in the case of a medical extenuating circumstance; in this case, the applicant will retain his/her place on the waiting list, and the unit will be offered to the next applicant on the list.

When there are no residents or applicants who need the features of existing accessible units, persons without disabilities may move into those apartments. However, they must agree to move to an available apartment of the appropriate bedroom

size with no such design features, if an applicant or current resident requires that accessible unit. Units designed for the mobility-impaired are set aside for individuals who are mobility impaired.

All applicant(s) removed from the Waiting List due to voluntary cancellation, denial or unresponsiveness will be delivered a letter of Adverse Action within 7 days of applicable action.

### APPLICATION INTAKE & PROCESSING

Application packets can be picked up during normal office hours at the community's leasing office only when the waiting list is open. Application packets are permitted to be submitted via in person, mail, fax, email or through the community's website. *Please see Exhibit A for a full list of the Community's contact information.*

#### Application Packet

Every applicant over the age of 18 is required to complete an application. The information requested in the application packet includes:

- ✓ Household characteristics such as name, sex, age, disability status (only where necessary to establish eligibility)
- ✓ General household contact information such as address, phone number, etc.:
- ✓ Sources and estimates of the household's anticipated annual income and assets;
- ✓ Social Security Number(s) for all non-exempt household members
- ✓ Certification of Student Status Eligibility
- ✓ Identification of preferences for which the household qualifies
- ✓ Need for a unit specifically adapted for vision, hearing or mobility impairments
- ✓ Citizenship Eligibility
- ✓ Screening information, which may include prior landlord, credit, and drug/criminal history;
- ✓ Marketing information regarding how the applicant heard about the community; and
- ✓ Certification from the applicant stating the accuracy and completeness of information provided, and an acknowledgement that the applicant has read the Privacy Act and understands the disclosure requirements.
- ✓ Authorization by the applicant that allows the community to verify all information provided on the rental application.

Every applicant whom completes an application for tenancy must also complete a Tenant Release (9887/9887A). The consent allows owners to request and receive information from third-party sources about the applicant. An application cannot be processed without this form.

Applicants will be provided with HUD Form 92006, Supplement to the Application. This form gives applicant households the option of including contact information for a family member, friend or social service agency worker who can assist with services and special needs, or in resolving tenant issues. Although the applicant is not required to provide another contact, the applicant must sign and return the form along with the completed application.

Applicants will also be provided with HUD Form 27061-H, Race and Ethnic Data Reporting Form, which must be returned along with the completed application. While this demographic information is not used to determine applicant eligibility, it is gathered as a means to tracking the demographic makeup of applicant traffic-a statistic that is called for in the Community's Affirmative Fair Housing Marketing Plan.

Staff will be prepared to assist any applicants who might have trouble completing the application packet. This assistance might take the form of answering questions about the application form. This assistance may include literacy, vision or language barriers and, in general, making it possible for interested parties to apply for assisted housing. If, due to a disability, an applicant is unable to complete an application, a third party can assist in the completion of the form. Only fully completed applications will be accepted.

### **Certifications and Verifications**

In accordance with the HUD 4350.3, this community will require certifications and/or verifications be completed or obtained for the following items:

- ❖ **Annual Income:** Is defined as the gross income (with no adjustments or deductions) the household anticipates it will receive in the 12-month period following the effective date of the household anticipated move in. Income includes, but is not limited to, earned income of adult members, unearned income from all household members and income from assets. All sources of income must be verified. The following methods are the preferred methods when verifying household income:
  - Written verification sent & received directly from a 3<sup>rd</sup> party source
  - Documentation provided by household such as benefit letters, tax returns or paystubs
  - Approved Mayfair Management Certifications used to further document information not obtainable by methods listed above
  - Use of HUD's EIV (Enterprise Income Verification) system, a computerized database containing social security and employment/unemployment income
- ❖ **Assets:** All household assets must be disclosed including the cash value, interest rate and bank name. When applicable, the community will require a verification be obtained for disclosed assets.
- ❖ **Student Status / Eligibility:** A certification of Student Eligibility must be completed for each household and executed by every adult member. If applicable, a student verification for every adult member will also be obtained. If the household is comprised of an adult PT or FT student(s), Mayfair will require the household to provide supporting documentation of a student exception to prove student eligibility.
- ❖ **Allowable Deductions:** HUD allows deductions to qualified households for the following items:
  - Age 62+, disability, or handicap of household head, spouse or co-head
  - Full time student status
  - Childcare costs
  - Handicap expenses
  - Medical Expenses (for elderly/handicapped households only)

Please note that verification requirements may vary in different states due to the regulations of different state finance agencies. No decision to accept or reject an application will be made until all verifications have been collected.

### **Period for Verification**

Only verified information that was generated by the source within 120 days of the date presented to management may be used for verification. All incoming forms of verification must be date-stamped to document this crucial date. Verified information not subject to change (such as a person's date of birth) need not be re-verified.

### **Calculating Annual Income**

Projections of Annual Income will include estimates for each disclosed income and will be based on the information obtained and/or provided during the verification process. Community staff will consider the current income rate(s), frequency, any potential rate increase, bonuses, commissions, tips and possibility of overtime. Income will be calculated based on the current circumstances. The income of irregular workers will be estimated on the basis of the best information available, considering earning ability and work history.

### **Attempted Fraud**

Any information provided by the applicant that verification proves to be untrue may be used to disqualify the applicant for admission on the basis of attempted fraud. The Community considers false information about the following to be grounds for rejecting an applicant:

- ✓ Income or assets
- ✓ Expenses (HUD units only)
- ✓ Household composition
- ✓ Social Security Numbers
- ✓ Preferences and priorities
- ✓ Eligibility for allowances (HUD units only)
- ✓ Previous residence history or criminal history
- ✓ Citizenship, naturalization, and/or eligible immigration status

If, during the course of processing an application, it becomes evident that an applicant has falsified or otherwise willfully misrepresented any facts about his/her current situation, criminal history, or behavior in a manner that would affect eligibility, priorities, application selection criteria qualification, allowances or rent, the application will be rejected.

During the course of processing an application, there may be errors in name spellings, dates of birth and other such data, resulting in inaccurate criminal, credit, or other screening. In these cases, screening may be re-done. If these checks result in documentation of circumstances that would have caused an applicant to be rejected, the application will be rejected. If the applicant has already moved in, this evidence may be the cause of eviction proceedings.

Unintentional errors will not be used as a basis to reject applicants.

### **Compliance Second Review**

Once the preceding processes have been completed, Community staff will submit the completed application, certifications & verifications to the Mayfair Management Compliance Department for a second review. The file transmissions are through a secure data base that only Mayfair Management personnel has access to. The second review process is critical to ensuring eligibility of an applicant and/or household prior to tenancy. Once the second review has been completed, the Compliance Department will either notify the community of an approval, denial or request additional documentation / clarification that may be necessary to meet program requirements.

### **APPROVAL & MOVE IN**

Once the community has received notification of approval, a community agent will immediately contact the applicant to schedule a move in date. At that time the applicant will need to schedule all applicable utilities to be switched into the applicant's name.

On the day of lease execution, the applicant should be prepared for the following:

- ✓ To provide account numbers and Agency name for all tenant responsible utilities
- ✓ To pay the required security deposit by cashier's check or money order
- ✓ To pay full or pro-rated rent by cashier's check or money order
- ✓ To pay additional deposits if applicable by cashier's check or money order

On the day of lease execution, the Community will explain the HUD regulations regarding the following:

- ✓ Annual and Interim recertification requirements
- ✓ Community Policies

### **Unit Inspection**

Before executing the Lease, a community representative and the resident(s) will jointly inspect the unit. The move-in inspection form will be used to indicate the condition of the unit. The condition of the unit must be decent, safe, sanitary and in good repair. If cleaning or repair is required, the community agent will specify on the form the date by which the work will be completed, which will be no later than 30 days after the effective date of the lease. After the move-in inspection, the resident has five (5) days to report any additional deficiencies in the unit to management. The complete move-in inspection will be attached to the lease. The inspection form must be signed and dated by both community agent and the



Resident. After move-in, inspections will be completed at least annually by management and inspections may also be conducted by HUD and/or the Community's Contract Administrator.

### **Security Deposit:**

A security deposit will be required for every household and is due at the time of lease execution. Please note that the forfeiture of a Security Deposit will apply if/when: The Tenant fails to move in or take possession of the unit after signing the Lease Contract, the Tenant fails to provide notice of intent to vacate within the required time frame or failure to fulfill the Lease Terms as identified within the Lease Contract.

### **Lease Documents**

All adult household members will be required to execute the finalized 50059 Income Certification, 12-month lease, VAWA Lease Addendum, Supplement to Application for Federally Assisted Housing, House Rules, No Cash Policy, Charge List Detail and any other required policies related to our community. After execution, the household will receive a copy of all signed documents.

## **UNIT TRANSFER POLICIES**

Residents will be placed on a transfer waiting list if they meet one of the following ranked conditions:

- ✓ If the unit transfer is requested and qualifies for special consideration based on the VAWA Emergency Transfer Policy, the request will receive preference over other requests to transfer.
- ✓ Unit transfer is needed for medical reasons which are certified by a medical professional or doctor, or needed based on a need for an accessible unit, as certified by a physician or other medical professional, as a reasonable accommodation for persons with verified disabilities, or
- ✓ Unit transfer is needed due to a change in family composition and/or family size

Current residents who require unit transfers for these reasons will be given priority over external applicants.

If a tenant is transferred as a reasonable accommodation to a household member's verified disability, the owner will pay the costs (not to include transfer of utilities) associated with the transfer, unless doing so would be an undue financial/administrative burden.

TRACS transmissions for a HUD unit transfer span two days: one to move out of the current apartment, and one to move into the new apartment.

When a household transfers to a new apartment, management will transfer the existing security deposit to the new unit.

For additional information regarding this Communities Transfer policies & procedures, please see the Mayfair Management Waiting List and Transfer Policy.

## **ANNUAL & INTERIM RECERTIFICATIONS**

HUD regulations require an annual recertification of financial circumstances for rent determination. Interim recertification's depend upon certain resident changes such as changes to household members and/or changes in income, assets or expenses. This policy will be explained prior to the Move-In.

Tenants living in HUD units are required to notify management when there is any change in household composition. The same screening criteria are used for all new household members as are required for new households.

HUD tenants are required to notify management any time a previously unemployed adult in the household begins working, and/or if the household's income goes up \$200/month or more. Tenants may request an interim recertification due to a decrease in income, or an increase in deductions.



This Community requires a criminal background check for every tenant at every annual recertification. If such criminal checks reveal post move in activity that violations the lease or policies of this Community, the household may be evicted.

In order to stay in the unit as a remaining family member if the Head of Household leaves the unit, a person must already be on the lease when the Head of Household leaves and must be of legal contract age under state law.

### **REJECTION OF INELIGIBLE APPLICANTS**

Applicants who do not pass the eligibility requirements listed within this Tenant Selection Criteria will immediately be sent a letter of rejection (*within 7 days*). The written rejection notice will specifically state the reason for rejection and per the VAWA Final Rule, the VAWA Notice and VAWA Certification will also be provided to all rejected applicants, as an attachment to the rejection notification.

The rejected applicant has the right to respond, in writing, within 14 days, to request a meeting to dispute the rejection. Persons with disabilities have the right to request reasonable accommodations to participate in the grievance process. This meeting must be conducted by a member of the owner's staff who was not involved in the initial decision to deny admission or assistance. Management will provide a written determination to the applicant within 5 (five) days of the meeting. If rejection is a result of a 3<sup>rd</sup> party report, the Community will disclose contact information for the applicable 3<sup>rd</sup> party source.

A copy of the criteria for which the applicant was screened and denied will be kept with the applicant file and such file will be maintained for the program applicable time frame.



TENANT SELECTION CRITERIA

EXHIBIT A

Community Name: Robledo Ridge
Address: 1519 Medina Dr.
City/State/Zip: Las Cruces, NM 88007
Phone Number: 575-556-9820
Fax Number: 575-652-4952
Email: robledoridge@mayfairmgt.com
Website: mayfairmgt.com

Applicable Program Type(s):

[X] Project Based Section 8 Assistance [ ] Rental Assistance Demonstration (RAD)
[ ] Section 202 PRAC [ ] Section 811 PRAC [ ] Rural Development (RD) [ ] Section 811 PRA

Community Availability

The community in which you are applying is comprised of the following:

Total Affordable Units: 60
Bedroom Sizes: [ ] Efficiency [X] 1 Bedroom [X] 2 Bedroom [X] 3 Bedroom [X] 4 Bedroom [X] 5 Bedrooms
Set Asides: [X] 30% [X] 50% [X] 80%

Preferences

This community has the following preference(s):

[ ]

Pet Policy

This community [ ] is / [X] is not a pet permitted community. For information regarding restrictions, fees and deposits, please see the Mayfair Management Group Pet Policy.

Smoke Free

This residence is a completely smoke-free building. No smoking of any kind (tobacco, e-cigarettes, vapor devices or any other substance) is permitted in any unit or in any part of the building. A designated smoking area, outside of the building in the parking lot, will be provided. Applicants must be willing to refrain from smoking while inside the building.

If you are disabled or have difficulty understanding English, please request our assistance and we will ensure that you are provided with meaningful access based on your individual needs

Mayfair Management Group does not discriminate on the basis of disability status in the admission or access to, treatment or employment in, its federally assisted programs and activities. The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulations implementing Section 504 (24 CFR, Par 8 dated June 2, 1988)
Tamra Ryals
7920 Belt Line Road, Suite 800 | Dallas, TX 75254
Office - 214-265-7227 | TTY 800-735-2989



