Carleton Companies

Pathways at Goodrich Place

RAD

Tenant Selection Policy

03/2024

1-1 Fair Housing and Equal Opportunity Laws (Non-Discrimination Policy.)

Management will not discriminate based on race, color, creed, national origin, religion, sex, age, familial status, handicap condition, sexual orientation, gender identity, or marital status in any phase of the occupancy process. Persons falling into one or more of these classifications are hereinafter referred to as protected individuals. Discrimination in the occupancy process includes, but is not necessarily limited to:

- Refusing to rent after a bona fide offer has been made, or to negotiate the rental of a dwelling;
- Establishing admission requirements which apply only to protected individuals;
- Using different lease provision(s) to discriminate against a person with disabilities, a family with children or other protected class;
- Employing any form of quota system to limit occupancy by protected individuals;
- Limiting the use of facilities or services by a protected individual or providing a lower quality of service to such a person;
- Discouraging applications or inappropriately influencing through steering, threats or intimidation, or by limiting the choice of dwelling;
- Providing false or misleading information about a housing opportunity;
- Failing to effectively communicate, through advertising or on-site marketing activities, the availability of housing to protected classes; with respect to persons with disabilities;
- Refusal to make reasonable changes in rules, policies, services, or practices to permit full use and enjoyment of the housing by such persons; **
- Refusal to allow reasonable modifications to dwellings to permit accessibility by persons with disabilities; and
- Employing different standards of eviction for a member of a protected class.

Any applicant/resident who thinks his/her rights have been violated under the Fair Housing and Equal Opportunity laws should be advised to contact:

Fort Worth Regional Office of FHEO
U.S. Department of Housing and Urban Development
801 Cherry Street, Unit #45
Suite 2500
Fort Worth, Texas 76102

Laura Sullivan
Director of Operations
3301 Airport Blvd Ste. 210
Bedford, TX 76021
lsullivan@carletonms.com
(817) 532-3155

In all matters of Fair Housing, this company subscribes to and incorporates herein, the recommendations contained in the Fair Housing Booklet, published by the National Assisted Housing Management Association and the Fair Housing Compliance Manual, published by the Nation Association of Home builders, both of which are supplied to all site managers and property supervisors. Any, and all, situations that may involve fair housing issues shall be referred to the Chief executive Officer of the Corporate

Management Office for final decisions. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance. Although Section 504 often Overlaps with the disability discrimination prohibitions of the Fair Housing Act, it differs in that it also imposes broader affirmative obligations on Owners to make their programs accessible to person with disabilities. These obligations include the following:

1. Making and paying for reasonable structural modification to units and/or common areas that are needed by applicants and tenants with disabilities, unless these modifications would change the fundamental nature of the project or result in undue financial and administrative burdens;
2. Operating housing that is not segregated based upon disability or type of disability unless authorized by federal statute or executive order;
3. Providing auxiliary aids and services necessary for effective communications with person with disabilities;
4. Developing a transition plan to ensure that structural changes are properly implemented to meet program accessibility requirements;
5. Performing a self-evaluation of the Owner's program and policies to ensure that they do not discriminate based on disability; and
6. Operating their programs in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

**If the property is not equipped with a TDD machine to enable communication with the hearing-impaired communication may be provided through the State's Relay Network. This service is provided free of charge and allows interested hearing-impaired applicants or residents to communicate via TDD to the Relay Network who would initiate communications with the property.

1-2 Application Intake

Management will accept an application for rental from all interested persons during normal business hours, except in the event notice is posted indicating specific days and/or times that applications are being accepted. The waiting lists for each separate bedroom size for the property will close upon notice after approximately 100 applications have been received and will reopen with notice once the waiting list is reduced to less than 50. Opening of the waiting list will be announced via public notice. The public notice will state where, when, and how to apply, and will be published in the neighborhood, at the housing authority, online and by any special interest media that may be available to assist the Carleton Companies with its special outreach efforts to reach underserved populations. The public notice will state whether the opening is a general opening of the list, is limited to a population to serve a special allocation of units, or to meet a specific HUD requirement. Closing of the waiting list will be in accordance with HUD regulations and will at a minimum be posted in the Owners admin office as well as at the property's leasing office. *Section 811 Waiting List is maintained by TDHCA.*

The application may be completed by the applicant in the leasing office or may be taken, completed, and returned to the leasing office later. Hours of operation: Monday -Friday 8:30-5:30. The application may also be mailed to (2126 Goodrich Ave, Austin, TX 78704), emailed to (goodrichmgr@carletonms.com), or faxed (817-532-3158) to the interested parties to provide reasonable accommodation for the physically impaired and elderly.

Ideally, when a prospective applicant inquires, the manager shall have the person come to the office to complete a rental application form (See Application Intake Procedures.) The application must be thoroughly checked for completeness in the following areas, including required signatures and dates:

- Complete addresses (current and mailing (if different) street address, box or apartment numbers, city, state, and zip codes.)
- Complete birthdates
- Complete Social Security numbers.
    - **Applicants: Each member of an applicant's household including minors for new move ins, live-in aides and fosters. Those who do not contend eligible Immigration status and persons 62 and older as of January 31, 2010, whose initial determination of eligibility was begun prior to January 31, 2010 are exempt from SSN disclosure requirements. The exception for persons 62 and older does not apply to new applicants coming into your property unless they were already receiving federal housing assistance somewhere else on January 31, 2010. All other members must disclose such SSN before the household may be housed. Applicants who have not disclosed and/or provided verification of SSN's for all nonexempt household members have 90 days from the date they are first offered an available unit to disclose and/or verify the SSN's. During this 90-day period, the applicant may, at its discretion, retain its place on the waiting list. After 90 days, if the applicant is unable to disclose and/or verify the SSN's of all nonexempt household members, the applicant should be determined ineligible and removed from the waiting list.

- o **Tenants – As of January 31, 2010, all individuals, including those under the age of six must now disclose a valid SSN. The only exceptions to this requirement are for tenants age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun prior to January 31, 2010, and individuals who have not claimed eligible immigration status. The exemption for persons 62 and older does not apply to new applicants coming into your property unless they were already receiving federal housing assistance somewhere else on January 31, 2010. Individuals who have already disclosed a valid SSN do not have to disclose their SSN. Affected tenants must provide verification of SSNs at the time of their next interim or annual recertification if the following criteria apply.
    - They have not previously disclosed a SSN;
    - They previously disclosed a SSN that HUD or the SSA determined was invalid; or
    - They have been issued a new SSN.
  - o The penalty for affected tenants' non-disclosure of SSNs is the termination of tenancy of the household. O/As may provide tenants with an additional 90 days past the recertification date to comply with the SSN requirements if the failure to comply is due to circumstances outside of the tenant's control and there is a reasonable likelihood that the tenant will be able to comply by the deadline date. After this 90-day deferral, if the tenant has not met the SSN disclosure and verification requirements, the tenancy of the entire household must be terminated.
  - o Persons under the age of 6 in applicant households that were added to the applicant household within 6 months of the date of admission. The family must disclose and provide verification of the SSN within 90 days of admission. An additional 90 day extension must be granted if delays are due to circumstances beyond the family' s control.
  - o When adding a new household member who is under the age of size to an existing household, The tenant must disclose and provide verification of the SSN of the individual to be added within 90 days of adding the new member. An additional 90 day extension must be granted if delays are due to circumstances beyond the family' s control.
- Complete disclosure of ALL income sources for ALL household members.
  - o i.e. Employment, unemployment, AFDC, Social Security (excluding delayed lump sum receipts), Veterans benefits, National Guard/Reserves (excluding hazardous duty pay), self-employment, assets and any other source of household income.
- The family's annual income must not exceed the low, very low, or extremely low-income limits as set by HUD.
- If an applicant claims zero income at the time of move-in they will be required to prove this claim every ninety (90) days.
- ALL household members must provide a declaration of citizenship or eligible non-citizen status. – *Citizenship requirements do not apply to section 811 applicants*.

- ALL household members, age 18 and older, must sign 9887 and 9887a (Consent to the release of information). Notice will be sent to household members that are 17 years old, 1 month before turning 18 requiring them to sign 9887 and 9887a.

NOTE: An assisted housing application shall be considered incomplete until the above requirements are met. See application intake procedures for steps on processing incomplete applications.

1-3 WAITING LISTS

To ensure that applicants are appropriately and fairly selected for the next available unit, it is essential for the owner/ agent to maintain waiting lists. The owner/agent will place the applicant household on the waiting list after preliminary eligibility determination is complete.

If applicants are eligible for more than one bedroom size, the applicants will have the option of choosing which bedroom size is appropriate for their family. Applicants will specify a desired unit size when completing the preapplication.

The applicant will be placed on the waiting list for the indicated unit sizes/types as long as:

- The applicant household meets the Occupancy Standards described in this plan, and
- The waiting list for the unit size is open

Applicants will be given 15 days to change their bedroom size choice. Once the 15 days have passed, they will not be allowed to change that selection unless a qualifying event has occurred. Please see the list of qualifying events in the Occupancy Standards section of this plan.

The applicant Head- of-Household (HOH) will be contacted, based on the waiting list selection criteria, and offered housing for the first unit that becomes available based on the selection guidelines described in this plan.

1-4 MAINTAINING WAITING LISTS

It is the policy of the owner/ agent to administer its waiting list as required by HUD handbooks/ regulations and TDHCA. The owner/ agent will update the waiting list by removing the names of applicants who are no longer interested in or no longer qualify for the PBRA and/ or LIHTC program.

On a regular basis, as determined by the owner/ agent considering the length of the waiting list, the owner/ agent will contact each applicant household by mail, using the address provided on the pre-application. Applicants are responsible for updating their application with any changes in address. The Head- of-Household (HOH) will be the only person contacted unless otherwise requested. If this letter is unable to be delivered by the United States Postal Service, the application will be rejected, and the household will be removed from the waiting list.

If the Head- of- Household (HOH) fails to respond to the owner/ agent inquiries regarding the desire to remain on the waiting list, the application will be rejected, and the household will be removed from the waiting list.

In addition, an adult member of the applicant household must contact the Admissions Department if household information changes (i. e. number of household members, number of future household members, criminal history, income, etc.). If the household size or composition changes, the owner/ agent will:

- Update the waiting list information and
- Decide whether the household needs the same or a different unit

If, because of the household composition change, it is determined that the household will be on the waiting list for a different unit than originally indicated, the household will maintain their place on the waiting list for the

new unit. If the waiting list is currently closed for the appropriate unit size, the application will be rejected and the household will be removed from the waiting list. If there are no units of the appropriate size on the property, the household will be rejected and will be removed from the waiting list.

REMOVAL OF APPLICANTS FROM THE WAITING LIST

The owner/ agent will remove an applicant' s name from the waiting list if any of the following apply:

- Applicant requests that the household name be removed
- The unit that is needed— using household size as the basis— has changed, and no appropriate size/ type unit exists in the property.
- The unit that is needed— using household size as the basis— has changed, and the waiting list for that unit size/ type was closed at time of application. If the waiting list was closed at the time of application but is open at the time of the family composition change, the application date will become the date the waiting list was reopened.
- Applicant fails to meet eligibility requirements
- Applicant fails to meet occupancy standards
- Applicant fails to meet screening requirements
- Applicant is rejected for any reason described in this plan
- Applicant cannot be contacted by US Mail (letters are returned or undeliverable)
- Applicant fails to keep application information up to date based on the requirements described in this plan
- Applicant was clearly advised, in writing, of the requirement to tell owner/ agent of his/ her continued interest in housing by a particular time and failed to do so.
- Applicant refused offer of a unit (See Right to Refusal Policy for additional information.)

If an applicant is removed from the waiting list, and subsequently the owner/ agent determines that an error was made in removing the applicant, the applicant will be reinstated at the original place on the waiting list.

If an applicant is removed from the waiting list and later, the applicant household feels that they are now qualified for assistance/ tenancy, the applicant household must submit a new application. The applicant will be placed on the waiting list, as necessary, based on the submission date and time of the new application.

If an applicant is removed from the waiting list, and subsequently the owner/ agent determines that an error was made in removing the applicant, the applicant will be reinstated at the original place on the waiting list.

If an applicant is removed from the waiting list and later, the applicant household feels that they are now qualified for assistance/ tenancy, the applicant household must submit a new application. The applicant will be placed on the waiting list, as necessary, based on the submission date and time of the new application.

There are certain situations when the owner/ agent may refuse to accept an application. The owner/ agent will not accept pre- applications from individuals or families who:

- Were denied admission to this program within the past 12 months for any reason at any property owned or administered by Carleton Companies.
- Owe a move out balance or debt to Carleton Companies for previous tenancy in any of Carleton Companies housing programs that is not barred by the statute of limitations. There is a four-year statute of limitations which ends the latter of:

o Four years from the date the debt became delinquent; or
o Four years from the date the final payment would have been due if the applicant signed a repayment agreement.

- Has been evicted or moved out in lieu of eviction from another property managed or owned by the owner/ agent, or from the Public Housing or Housing Choice Voucher programs within the past two years for any reason other than drug related.
- Has been evicted or moved out in lieu of eviction from a Carleton Companies property or program for drug related reasons in the last five years
- Are currently housed at this property.
- Rejected a housing offer at the same property within the past year.

In addition, if an applicant previously accepted a unit offered by the owner/ agent and the applicant failed to
take possession of the unit on the agreed upon date without notice to the owner/ agent, the owner/ agent reserves the right to refuse all future applications.

SELECTING APPLICANTS FROM THE WAITING LIST

When an applicant's family reaches the top of the waiting list, they will be invited into the community to complete an eligibility interview. Once the family has been certified eligible, they will wait for the next unit to become available. The owner/agent will contact the next certified eligible household based on the selection criteria described in this plan and make a housing offer to the family. No decisions to offer the unit shall be made until all information presented by the applicant has been verified and the final eligibility determination is complete.

The following procedures apply to all applicants.

1-5 Eligibility Criteria

To be considered for admission and/or assistance, applicants must meet the following eligibility criteria:

- For the HUD Assistance program, the household's gross annual income does not exceed 80% of the area's median income. (HUD Low-income limits.) *Section 811 households gross annual income does not exceed the extremely low income limits at 30%.*
- The amount the household is required to pay is the TTP per HUD guidelines
  - Total Tenant Payment (TTP) is the amount a tenant is expected to contribute foir rent and utilities. TTP for HUD/PRA is based on the family's income. Calculation of TTP is the greater of the following
    - 30% of monthly adjusted income
    - 10% of monthly gross income
- HUD establishes and publishes limits for each county or Metropolitan Statistical Area in the country. They are based on the median income of the geographic area for which the limit is established. Income limits are based on family size and income the family receives. These limited are available in the property office and are used to determine income eligibility prior to approving applicants for residency. The income limits used to determine eligibility vary by program; therefore, a family's eligibility for assistance is based on the income limit applicable to the type of housing assistance the family is to receive.
- Applicant must agree to pay rent required by the program under which the family will be receiving assistance.
- The unit for which the family is applying must be the only residence.
- Household family size does not exceed the maximum occupancy limit for the unit.
- Students Eligibility-In determining eligibility for HUD Assistance, an Owner must first determine whether the individual is:
  - Under the age of 24; and
  - Enrolled at an institution of higher education

  Once it is determined that the individual is a student then the Owner determines whether the student:

  - Is a veteran; or
  - Is married; or
  - Has a dependent child; or
  - Is a person with disabilities

  If the student does not meet any of the second set of criteria, then there is a two-part test that must be met for the student to be eligible for HUD assistance:

  1. The Student must be eligible for HUD assistance AND
  2. The student's parents, individually or jointly, must be eligible for HUD assistance.

  UNLESS the student can demonstrate his or her independence from parents.

- The revised definition of an "independent student" is an individual who:

- Is age 24 or older by December 31 of the award year;
- 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 from age 13;
- Immediately prior to the age of majority, was an emancipated minor or in legal guardianship as determined by a court;
- Is a veteran of the United States military or on active duty for other than training (i.e., not Guard or Reserve);
- Is a graduate or professional student;
- Is married;
- Has legal dependents other than a spouse; or
- Was verified during the school year as either an unaccompanied youth who is homeless or at risk of homelessness and is self-supporting.
    - This must be verified by
        - A local educational agency's homeless liaison;
        - The director (or designee) or a program funded under the Runaway & Homeless Youth Act;
        - The director of a program funded under Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act; or
        - A financial aid administrator

Requirements for verifying a student's independence from his or her parents requires only applies to the student's tax returns.
Students who are orphans, in Foster Care, wards of the court from age 18, emancipated or under legal guardianship, homeless or at risk of homelessness are considered "vulnerable youth." In this case, they are automatically considered an "independent student."
When determining a student's independence from parents, all of the following are required:

1. Review and verification of previous address information in order to confirm a separate household;
2. Review of student's prior year tax returns to verify independence; and
3. A written certification of support or nonsupport from the parent(s).

If any of these three requirements are not met, proof of the parents' eligibility for Section 8 assistance is required.

- Students Eligibility-In determining eligibility for 811 Assistance are as follows:

  Owners must determine a student's eligibility for assistance at move-in, initial or annual recertification, and at the time of an interim recertification if one of the changes reported is that a household member is enrolled as a student, at an institution of higher education.

  The student must meet all of the following criteria to be eligible. The student must:

  a. Be of legal contract age under state law;
  b. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, or
  c. Meet the U.S. Department of Education's definition of an independent student. (See the Glossary for definition of Independent Student);

d. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and

e. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

   The full amount of financial assistance paid directly to the student or to the educational institution and amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs, are excluded from annual income for the section 811 program

- All household members must qualify as eligible citizens of the United States or as eligible noncitizen immigrants. A family which includes ineligible household members MAY qualify for prorated housing assistance under the definition of "mixed family."
   1. If the applicant cannot supply the documentation within the Owner's specified timeframe, the Owner may grant an extension of not more than 30 days, but only if the applicant certifies that the documentation is temporarily unavailable and additional time is needed to collect and submit the required documentation. The owner will inform the applicant in writing if an extension request is granted or denied. If the request is granted, the Owner will include the new deadline for submitting the documentation. IF the request is denied, the Owner will state the reasons for the denial in the written response. When granting or rejecting the extensions, the property will treat all applicants consistently.
   2. The Owner will not delay the family's assistance if the family submitted its immigration information in a timely manner, but the DHS verification or appeals process has not been completed.
      a. If a unit is available, the family has come to the top of the waiting list, and at least one member of the family has submitted the required documentation in a timely manner, the owner must offer the family a unit and provide prorated assistance to those family members who documents were received on time. The Owner will continue to provide prorated assistance to such families until information establishing the immigration status of any remaining noncitizen family member has been received and verified. (See federal regulations regarding definitions and guidelines.)
   3. Families that were receiving assistance on June 19, 1995 under one of the programs covered by the non-citizen rules are eligible for temporary deferral of termination of assistance if the mixed family qualifies for prorated assistance (and does not qualify for continued assistance) and chooses not to accept the partial assistance.

      The initial deferral period is for six months and may be extended for an additional six-month period, not to exceed eighteen months.

1-5a Head of Household Definition

The Head of Household must be at least 18 years of age. If under 18 years of age, the head of household must have been emancipated by a court of law, enlisted in the armed forces of the United States of America, or in a current or prior lawful marriage

1-5b Singles

HUD does not restrict the admission of qualified single applicants to be federally assisted housing programs. Single applicants may not be eligible for admission if the development's smallest unit is a 2-bedroom apartment. (Note: Single is defined as one who intends to live alone.)

1-5c Student Eligibility

The individual is a student for whom a financial aid administrator makes a documented determination of independence be reason of other unusual circumstances.

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

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.

No assistance shall be provided to students enrolled at institutions of higher education and seeking HUD assistance under the Section 8 of the 1937 Act to any individual who:

- Is enrolled as a student at an institution of higher education;
- Is under 24 years of age;
- IS not a veteran of the United States Military;
- Is unmarried
- Does not have a dependent child;
- Is not a person with disabilities and was not receiving assistance under such Section 8 as of November 30, 2005; and
- Is on otherwise individually eligible, or has a parent who, individually or jointly, are not eligible based on income to receive assistance under Section 9 of the 1937 Act.

For a student under the age of 24 who is not a veteran, is unmarried, does not have a dependent child and who is seeking HUD assistance, both the student and the student's parents (the parents individually or jointly) must be income eligible for the student to receive HUD Assistance. If it determined that the parents are not income eligible, the student is ineligible to receive HUD assistance UNLESS the student can demonstrate his/her independence from the parents as defined in section 1-3.

Eligibility of Students for Other Assistance Programs

1. This paragraph applies to the Rent Supplement, RAP, Section 221(d)(3) BMIR, Section 236, Section 202 PAC, Section 202 PRAC or Section 811 PRAC programs.

2. Owners must determine a student's eligibility for assistance at move-in, initial or annual recertification, and at the time of an interim recertification if one of the changes reported is that a household member is enrolled as a student, at an institution of higher education.

3. The student must meet all of the following criteria to be eligible. The student must:

   a. Be of legal contract age under state law;

   b. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, or

   c. Meet the U.S. Department of Education's definition of an independent student. (See the Glossary for definition of Independent Student);

   d. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and

   e. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

4. The full amount of financial assistance paid directly to the student or to the educational institution and amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs, are excluded from annual income for the programs listed in 1, above.

1-6 Occupancy Standards

The following standards will apply in determining the size of apartment for which a household will qualify. This standard will be applied for move-ins, as well as unit transfers within the property. (NOTE: A conceived but unborn child, children not yet in the household but in the process of adoption and live-in attendants MUST be counted.)

Bedroom Size	Minimum Occupants	Maximum Occupants
1	1	2.5
2	2	4.5
3	3	6.5
4	4	8.5

Dwelling units will be assigned so that generally one (1) bedroom will be assigned to two (2) people within the following guidelines:

- Consideration will be given to the number of family members; the age, sex, and relationship of the family members, the family's need for a reasonable accommodation; and balancing the need to avoid overcrowding vs. the need to avoid underutilization.
    - Minors of the opposite sex, five (5) years of age and older shall be allocated separate bedrooms.
    - A child who is temporarily away from home will be counted for the purposes of assigning bedroom size.
    - The owner/agent will consider:
        - All full-time members of the family
        - All anticipated children including children expected to be born, children in the process of being adopted, children whose custody is in process of being obtained, foster children, children temporarily in foster care, and children in joint custody arrangements who are present 50% or more of the time.
- If a family, based on the number of Members, would qualify for more than one-bedroom size, the owner/agent must allow the family to choose the bedroom size.
- Live-in aides will be provided a separate bedroom, unless requested otherwise by the family. Only one additional bedroom per household will be provided for a live-in aide that assists a disabled member of the household on a full-time or rotational basis or if the disabled person must have multiple part-time rotating attendants. No additional bedrooms are provided for the live-in aide's family.

The applicant will be placed on the size waiting list for which he/she is qualified. However, if the applicant supplies a written request to modify the above Occupancy Standards, the applicant will be placed on the waiting list for which he/she has requested. An applicant may not be eligible for admission, based on the above Occupancy Standards, if the total number of occupants in the household exceed the maximum number of occupants by one (1) as permitted by the occupancy standard for the largest unit on the property.

Note: IF an applicant makes an appeal or disputes a decision regarding maximum occupancy standards; and/or requests a 'reasonable accommodation", information will be provided to the managing agent's office. Final determination of all disputes will be made at the discretion of the managing agent and/or the HUD field office.

1-7 Screening

All applicants meeting the Eligibility Criteria and Occupancy Standards will be screened as set forth below. The purpose of the screening process is to identify those otherwise qualified applicants who past record indicates they are unlikely to comply with the terms of the lease.

1-7a Screening Criteria

The screening criteria will be based on the following considerations:

INCOME RESTRICTIONS: To qualify for the HUD/PBRA program, the applicant household must have low-income as defined by the households gross annual income not to exceed Low-Income Limit Schedule published by HUD for the immediate area and for Section 811 applicants the households gross annual income is not to exceed the extremely low income limit.

CREDIT: A credit and criminal history report is generated for all applicants over 17 years of age. If there are more than four outstanding utility collection accounts, rental debts over $1500.00, or more than 50% negative accounts, it is an automatic denial. Medical collections and student loans within the last 24 months will not be counted against you. If a current bankruptcy is pending against you, it is an automatic denial. If a bankruptcy shows on your history and it has been discharged, it must be verified with the proper documentation.

RENTAL HISTORY: Applicants must not have poor or negative rental history within the past 2 years. If an applicant leaves a prior landlord with a balance owed within the last two (2) years or has an eviction, the applicant(s) will be denied. If you have been evicted, asked to leave, skipped, or left another apartment lease under less than favorable terms within the last two years, your application will be denied. Any applicant that owes a balance to a property funded by HUD will be denied.

CRIMINAL HISTORY: A criminal history report will be requested on all applicants over the age of 16 years old. If applicant(s) have/has a criminal record on file consisting of any of the following convictions, the applicant is denied unless proof of court finding of innocent or dismissal. Felony Convictions for drug crimes, crimes against people, gun crimes, violence against people, burglary and domestic violence less than 10 years old is an automatic denial (sentence time and probation/parole periods must be resolved). Other felonies less than 5 years old is an automatic denial. All misdemeanors less than 2 years old is an automatic denial. Intentional injury to a child or **ANY** sexual offenses is an automatic denial. Patterns of any repetitive convictions will also be grounds for denial.

OTHER AFFORDABLE HOUSING PROGRAMS: HUD/PBRA units may be subject to multiple affordable housing programs. Applicant households must qualify for all applicable programs in order to occupy a unit that is subject to multiple programs.

At no time will a HUD/PBV tenant be required to pay more than the TTP for their unit as determined by their income at their eligibility interview.

1-7b Rejection

An applicant will be rejected for occupancy if one or more of the following are true:

- If any household member is a current user of illegal drugs.

- The Owner determines that there is reasonable cause to believe that a household member's illegal use or a pattern of illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Any member of the household is subject to a lifetime registration requirement under a state sex offender registration program. In accordance with Federal law, Owners shall establish standards that prohibit admission to any Federally-assisted property to sex offenders subject to a lifetime registration requirement under a state sex offender registration program. During the admission screening process, the Owner must perform the necessary criminal history background checks in the state where the housing is located and in any other state(s) where the household members are known to have resided.
- If, within the past three years, any household member has been evicted from Federally-assisted housing for drug-related criminal activity, for three years from the date of eviction.
    - If the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program or circumstances leading to the eviction no longer exits, the Owner may, but is not required to, admit the household.
- The Owner determines that there is a reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- If the applicant's household includes a member who has a felony or misdemeanor for injury to persons, damage to property, theft, sexual offences, drug violations, or weapons charges, even if currently serving deferred adjudication, convicted or case pending.
    - Misdemeanors for damage to property and theft over five (5) years old will not be considered.
    - Any member of a household may not be on parole, probation, or subject to a deferred adjudication.
- If the applicant household includes a member whose past actions indicated that one or more of the screening criteria will not be met.
- If the applicant fails or refuses to sign and submit verification consent forms or the Authorization for Release of Information (forms HUD 9887 and HUD 9887a)
- Includes family members who did not declare citizenship or non-citizenship status, or sign a statement electing not to contend noncitizen status. However, an owner should permit families to revise their application to exclude proposed family members who do not declare citizenship or eligible noncitizen status. *Citizenship requirements do not apply to Section 811 applicants*.
- Does not meet the owner's tenant screening criteria
- Provides false information on application.

Note: All rejected applicants will be given the opportunity to present mitigating circumstances appealing rejection. If rejected for credit, the applicant will need to present evidence of undue hardship if they were to pay off their debts. If rejected for lease non-compliance based on previous inability to comply with the lease, then the applicant must present evidence of inability comply with the lease that is directly associated to a physical or mental impairment. The applicant must present written, verifiable documentation in order to support rehabilitation, current or pending. Reasonable accommodations may be made, if justified, in order to allow the applicant rights of occupancy.

All rejected applicants, regardless of the reason for rejections, must respond in writing within fourteen (14) days from the date on the notice of rejection.

1-8 Application Disposition

At all times, all applications are classified in one of the following categories:

Active
All applications currently on the waiting list are filed alphabetically together in the Active Applications file. These files will be separated by unit size.

Pending In-Active
The applicant will be issued a fourteen (14) day notice to respond for all applications that are in-complete, did not pass the screening criteria, did not renew, no longer needs, etc. The application along with a copy of the notice attached will be placed in a daily tracking file pending the applicant's response. Note: the application may NEVER be classified as in-active without prior notification to the applicant and allowing a response in accordance with federal regulations.

In-Active
Applications that have been through the "pending" file system and were rejected will be placed alphabetically, by last name of Head of Household in the In-Active file. This file will be maintained for period of not less than three (3) years.

Resident
All applications accepted and processed for occupancy will be placed in the resident's file at the time of move-in and will remain a part of the active resident's file.

1-8a Preferences for Admission.

The property uses the following local preferences in order of priority:

1. DISPLACED PREFERENCE (Required by Statute)
Applicants who are involuntarily displaced by a natural disaster (fire, flood, hurricane, earthquake, etc.), as verified by local, state, or federal authorities within the last 6 months, government or Owner/HUD action (emergency relocation, sale of property, moves necessary due to modernization or demolition programs instituted by Owner, etc.), or families who must move due to hate crimes or because they have agreed to testify for a legal proceeding regarding a criminal action *will be eligible for a local preference*. The following are acceptable forms of verification:
a. Letter from a local, state or federal authority verifying the natural disaster; that the residence is uninhabitable; and date of disaster must be included in the letter; or
b. Letter from the Owner displacing the family; OR
c. Letter from law enforcement agency verifying the family's status as a victim or testifying witness
d. Completion of the HUD form 91066 providing a statement regarding the family's status as a victim and any supporting police reports if available.

2. Income-Targeting

HUD Notice H00-18, Admission and Occupancy Provisions of the Quality Housing and Work Responsibilities Act of 1998 (QHWRA) requires that 40% of the annual move-ins (new residents to the property) must be at or below 30% of area median income limit (extremely low-income). To ensure this, as move-ins occur, we will track the total number of extremely-low income qualifying households. If the number of move-ins is less than 40% of our total move-ins, we will see the next qualifying household with extremely low income and house them prior to any households that do not qualify as extremely low-income. Once we have returned to the proper proportion of extremely low-income households, we will then house those households that were passed over due to our need for extremely low-income households in the order that they are listed on our waitlists.

Typically, very little marketing is required to attract the extremely low-income applicant, as most properties received more application from the extremely low-income category than they do from the other income classifications. If we find it necessary to advertise for a property (local newspapers, fliers, etc.) to meet the requirements of Notice H00-18, the advertisement may need to include the income limits for the number in the household, to ensure applicants are aware of the required qualifications.

We may also advise the housing authorities in the area that we require residents in the extremely low-income bracket. Many times, the housing authorities will not have units available in their facilities or voucher/certificates available for distribution, but they still have applicants needing housing. Agencies identified in the property's Affirmative Fair Housing Marketing Plan will be contacted to achieve compliance with QHWRA's income targeting requirements.

Income level designations will be shown on the waiting list for each applicant, thus assisting each property's staff in identifying those applicants whose income is at or below 30% of the area median income limit in order to achieve the QHWRA income targeting requirements for initial admission to the property.

Income Targeting does not apply to Section 811.

1.8b CONSEQUENCES FOR RESIDENT FAILURE TO COMPLY

Although the Resident will not be charged the actual cost of bed bug treatment, failure to properly prepare for bed bug treatment without good cause may result in the following:
Resident being charged for assessed trip fees;
Resident being issued a lease violation notice;
Household being placed on probation; or
Once on probation, repeated failure to notify the owner/ agent and failure to fully and properly participate in the eradication process is grounds for immediate termination of tenancy.
If the resident fails to notify the owner/ agent of an infestation or if the resident fails to fully and properly participate in the eradication process, the resident will be charged for all costs associated with infestation of the unit and other areas. These charges will be considered damage in accordance with HUD notice.
If a licensed exterminator determines that repeated infestations are caused by the resident, resident' s guest or service providers hired by the resident, cost of eradication for bed bugs present as a result of the resident' s, resident' s guests' or resident' s service provider' s actions will be considered damage and will be charged to the resident. This includes damage to other units and to common areas.
If Resident and/ or Household Members are unable to move heavy items such as furniture, place mattresses in sealed plastic, or otherwise prepare the unit for treatment because of a disability, Resident should notify the owner/ agent when treatment is scheduled and the owner/ agent will provide
assistance upon request at no cost. See the Reasonable Accommodation Policy for information on how

to request an accommodation.
In the event of any adverse action taken by the owner/ agent under this policy, the resident will be notified of the right to dispute the action in accordance with the Grievance Policy.

1-8c In-House Transfers

As vacancies occur, in-house residents needing a unit transfer are given priority over applicants on the waiting list. "Need" is defined in the following situations only:

Over Crowded Units
The family composition exceeds the maximum occupancy standard plus one (1) for the current size unit and a larger size unit is necessary to maintain compliance with Fair Housing laws. Note: In the event that the family is currently occupying the largest size unit on the property and the family composition grows beyond the maximum occupancy standard for that unit, the family must be allowed to remain in the community as long as lease compliance is maintained.

Under Utilized Units
The family composition has decreased AND; there is a need for the larger unit on the waiting list. Note: If the family is receiving federal assistance and there are no openings on the contract for the smaller size unit, a transfer may be delayed until there is an opening on the contract.

Physical Repair
The family is occupying a unit that is currently below Housing Quality Standards and requires extensive repairs/replacements before the unit may be re-occupied.

Medical Need
Mobility, Hearing, or Vision Accessible units will be made available to household with family member who requires the features of an accessible unit and are currently residing in a non-accessible unit. Other medical transfers will require a statement from an authorized medical facility or physician. The transfer may be accomplished as soon as an appropriate unit is available.

VAWA/Safety Protection Transfer
If a family requests a transfer due to a domestic, dating, or stalking violence situation and has completed the VAWA HUD 5382 reporting form and furnished any applicable police reports, then the family will be approved to the next available HUD unit. Management is unable to guarantee a timely move to the availability of HUD units within the property.

Existing Market or otherwise unassisted resident in need of federal rental housing assistance must complete a new rental application. If the resident is determined to be eligible for federal rental assistance, the resident will be placed on the waiting list in chronological order with all other applicants for federal rental assistance.

1-9 EIV Policies & Procedures

1-9a EIV Existing Tenant Search:

Any applicant that shows up on this report will be contacted and given the information. The manager at the other site will be contacted and the move-out date verified with them. This will be done before moving in these residents. The EIV existing Tenant Search will be reviewed for all applicant household members.

1-9b EIV Head of Household Search:

Any applicant that shows up on this report will be contacted and given the information. The manager at the other site will be contacted and the move-out date verified with them. This will be done before moving in these residents. The Head of Household Search will be reviewed for all adult applicant household members.

1-9c EIV Requirements

EIV reports are a HUD requirement for both Public Housing and Section 8 properties. There are three different areas of compliance each property must maintain at all times: Documentation of User Access agreements and Rules of Behavior (ROB), Periodic Property/Contract reports, and Individual Household
Reports. The purpose of these reports and documentation is to ensure security awareness and compliance, monitor areas of resident compliance with program rules, and ensure household reporting is accurate and researched.

1. User Access Agreements
    a. Property must retain copies of all User Access Agreement Forms (UAAF) signed by the contract administrator, Rules of Behavior for non-users, Security training documentation, and the Contract Administrator's Access agreement.
    b. All UAAFs must be signed annually by each individual user and the CA.
    c. All security training must be completed annually and documented within the binder.
    d. All ROB for non-users must be signed annually by any individual with access to the resident files. This should include the Regional Manager, the Area Manager, all office staff without access to EIV, and any temps or work force staff that has file access.
2. New Hire Reports and follow-up
    a. Reports will be pulled QUARTERLY
    b. Follow-up verifications and notations must be in each individual file.
    c. All Follow-up must be COMPLETED within 30 days.
        i. All third-party verifications with no response by the end of 30 days should have at least two documented attempts EACH of at least two different methods including, but not limited to, mail, fax, phone, and email.
3. Income Discrepancy Reports, No Income on 50059, No Income from HHS or SSA and follow-up
    a. Reports will be pulled QUARTERLY
    b. Follow-up verifications and notations must be in each individual file.
    c. All Follow-up must be COMPLETED within 30 days.
        i. All third-party verifications with no response by the end of 30 days should have at least two documented attempts EACH of at least two different methods including, but not limited to, mail, fax, phone, and email.
4. Pre-Screening and Failed Verification Reports and follow-up
    a. Initial Reports will be pulled 90 days after move-in for each new resident.
    b. Reports will be pulled Monthly per HUD minimum requirement for verification reports.

    c. Follow-up verifications and notations must be in each individual file.
    d. All Follow-up must be COMPLETED within 30 days.
        i. Document when the change occurred and when the corrective 50059 was uploaded in the binder as well as the file.
5. Multiple Subsidy Reports, Deceased Tenant Reports and follow-up
    a. Reports will be pulled QUARTERLY
    b. Follow-up verifications and notations must be in each individual file.
    c. All Follow-up must be COMPLETED within 30 days.
        i. In the case of Multiple Subsidy issues, the compliance department must be notified within 24 hours of discovery.

The only persons allowed to pull these reports and process the findings are those individuals who have been granted access to the appropriate EIV system and have signed a UAAF and completed the security training within the last 12 months.

1-10 VAWA Protections

1. The Landlord may not consider incidents of domestic violence, dating violence, stalking as serious or repeated violations of the lease of other “good cause” for termination of assistance, tenancy, or occupancy rights of the victim of abuse.
2. The Landlord may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant’s household, or any guest or person under the tenant’s control as cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant’s family is the victim or threatened victim of that abuse.
3. The Landlord may request in writing that the victim, a family member, or an advocate, on the victim’s behalf, certify that the individual is a victim of abuse and the Certification of Domestic Violence, Dating Violence, or Stalking Form HUD 5382, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Verbal statements may be taken in lieu of written statements upon request for accommodation by the involved parties. All verbal statements will be documented by on-site staff to include the date, time, and names of all parties witnessing the statement. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.
4. Confidentiality of Information: The Identity of the victim and all information provided to management/owners of the property relating to the incident(s) of domestic violence, dating violence, stalking, or sexual assault must be retain in confidence by the management/owner and must not be entered into a shared database or provided to related entity unless:
    a. Requested or consented by the individual in writing,
    b. Required for use in an eviction proceeding, or
    c. Otherwise required by applicable law.
5. Management/Owners must retain all documentation received pertaining to the incident(s) of domestic violence, dating violence, stalking, or sexual assault in a separate file in a secure location away from other tenant files.