

# **Resident Selection Criteria**

## **Family LIHTC with Market Units**

### **Purpose**

Our Community was established to provide safe affordable housing for low income and moderate income individuals as defined in the eligibility criteria below. The property has signed a Use/Regulatory Agreement with a State Agency restricting the use of the property to eligible households as stated in the Affordable Housing Tax Credit Program.

### **Policy for Changes to the Resident Selection Criteria**

Changes to the Resident Selection Criteria may occur from time to time. The changes could occur at the discretion of Management or the IRS. Changes in the Resident Selection Criteria will be posted at the property.

### **Project Specific Requirements**

Our Community has agreed to a Regulatory Agreement. Applicants must earn less than what is stated in the Regulatory Agreement upon move-in to reside at this property. The income limits for this county are posted in the leasing office and are available at [www.huduser.org](http://www.huduser.org). The income limits are adjusted for family size. Income limits are established by HUD and are updated annually. To qualify, this property must be the only home for the applicant. Applicants must sign the Release of Information documents prior to move-in and at least annually thereafter. The Release of Information documents are in accordance with the tax credit program and can be reviewed by the applicant, in advance, if requested. The consent forms must be signed by the head of household, the spouse or co-head of household and any other family members who are 18 years of age or older.

Family members who refuse to sign the Release of Information documents and/or refuse management the ability to verify program eligibility for the family will be denied housing.

### **Application Process**

1. Applications will be accepted during regularly posted office hours.
2. Persons requiring special accommodations should contact the management office.
3. Applications will be screened in accordance with the program eligibility requirements and the criteria set forth in the resident selection plan.
4. Upon completion of the application, management will meet with the applicant to review the application for accuracy and completeness.
5. Applicants will be required to provide proof of identity and age.
6. Based on the initial screening the applicant will be added to the waiting list (if a waiting list exists).
7. If no waiting list exists and the initial screen determines the applicant will likely be qualified, management will begin processing the application for occupancy.
8. Should the applicant fail to meet the income restrictions and/or other screening criteria management will provide a denial letter by mail.

### **Applicant Selection**

All applicants who meet the program eligibility requirements and resident selection criteria requirements will be offered housing on a first come first serve basis.

### **Student Status**

Student households comprised of full-time students are prohibited unless the household meets one of five exceptions continually for the period of time that everyone is a full-time student. This includes: married and entitled to file a joint tax return, single parents with minor children in which the adult and children are not a tax dependant of any third party (minors- exclude parents residing outside of the household), receipt of state

welfare assistance payments such as TANF, **former** foster children & adults, and those who get assistance from the Job Training Partnership Act or similar program. Any household violating the LIHTC Student Rule will be terminated.

### **Changes to Family Composition after Move-In**

The family may request a change in unit size due to the addition or subtraction of a family member after 6 months of occupancy, but changes may not be allowed until after 12 month lease period if household income would change. Families must inform management within 30 days when a change occurs. The household must meet program eligibility requirements at the time the change of household composition occurs. Adult additions to the family must be approved for occupancy in accordance with the property's resident selection criteria prior to occupying the unit. Adult members' income must be considered in the maximum income limit and also must be added to the lease.

### **Criminal Activity**

A prohibition on housing shall apply to any person who:

(A) is currently engaged in, has been convicted of using, distributing, or manufacturing methamphetamine. Housing of such person shall be prohibited for a period of ten (10) years from the date of the conviction, or end of the incarceration, whichever is most recent.

(B) is currently engaged in, has been convicted of Violent Criminal Activity or Drug Related Criminal Activity. Housing of such person shall be prohibited for a period of three (3) years from the date of the conviction, or end of the incarceration, whichever is most recent.

(C) has been convicted of any other felonious activities other than Drug Related Criminal Activity or Violent Criminal Activity. Housing of such person shall be prohibited for a period of three (3) years from the date of the conviction or end of the incarceration, whichever is most recent.

(D) is subject to a lifetime registration requirement under a Federal or State sex offender registration program.

(E) is a sex offender, not subject to lifetime registration. Housing of such person shall be prohibited for a period of ten (10) years from the date of the arrest, conviction, or end of incarceration (whichever is later) or the period of required registration as a sex offender, whichever is greater.

(F) The prohibition on the housing of a convicted felon shall not apply to qualified tenants of Transitional Housing, except that the housing of a person in any Transitional Housing shall

be prohibited if said person: (A) is subject to a lifetime registration requirement under a Federal or State sex offender registration program, or (B) is currently engaged in or has been convicted of a violent felony in the last three (3) years.

In all cases if a background reports lacks detail about the event(s) in question it shall be incumbent on the applicant to provide verifiable specifics.

Criminal history deemed serious by the site manager but not covered in the above guidelines shall be determined on a case-by-case basis but only after a determination has been made that the applicant / household appears to qualify under all other program guidelines. The relevant facts, and verifiable specifics including date of occurrence, date of conviction and dates of release from incarceration (if applicable) shall be sent to the designated representative of the company who shall make the determination

### **Occupancy Standards**

Occupancy is limited to two (2) persons per bedroom.

### **Citizenship**

Applicants will be required to verify their citizenship status as part of the qualification process at this property. Applicants are required to provide a Social Security card or other appropriate documentation.

### **Credit Policy**

**Landlord Reference:**

The applicant's present and past landlord history will be verified including but not limited to rental amount, rent paying habits, how long they have lived there, condition of dwelling, did they fulfill their lease, did they give notice to vacate and would they be eligible to live there again. Lack of landlord reference is not a negative (for example, have always lived with parents).

**Credit Report:**

The applicant's credit report will be checked using a credit reporting service. An application fee will be charged to each adult applicant. The Site Manager has the ability to approve any application if the Predictive Factor Point Score is between 11 – 24. Property Manager Approval is required when the Predictive Point Score is below 11. In most cases, the Property Manager must reject an application with a score of 0-6 unless there are special circumstances (new college graduate, military, new job, bankruptcy, etc). A bankruptcy is considered to have erased all debt.

**Income:**

Applicants must have sufficient income to ensure that they are able to pay the rent. If there is no other debt, this can be changed at the discretion of the Property Manager.

**Guarantor:**

A guarantor can only be used if the applicant, standing on their own meets a Predictive Factor Point Score of questionable and nothing less, unless approval is obtained by the Property Manager. The guarantor must qualify under the same guidelines as the applicant, including a credit check. An application fee is required of a guarantor just as it is required of an applicant. Guarantors may be used only if they are immediate family members (legally related, brothers, sisters, father, mother, etc.) Unrelated individuals, such as friends, are not acceptable.

**Procedures for Approval:**

1. Applicants will be screened first for landlord, credit approval, occupancy standards and the ability to contract. Our Community will not obtain criminal reports on applicants who are denied based upon information obtained in the first step.
2. If the applicants pass step 1 above, management will then obtain a criminal report.
3. Upon satisfactory completion of steps 1 and 2 outlined above, applicants for affordable housing will be screened based upon the program requirements discussed in this resident selection plan. Upon meeting the Affordable Housing Program requirements, applicants will then be approved for move-in.

**Procedures for Denial:**

The following procedures will be completed when an applicant is denied housing:

1. A denial letter will be mailed within 3 business days to the applicant from the Site Manager with a copy retained on-site.
2. According to existing law, no information may be given over the phone.

**Unit Transfer Policy**

Generally, unit transfers are not allowed to the same size units within the same property. A unit transfer request will be considered as a reasonable accommodation when there is a need for an accessible unit or to accommodate a qualified medical condition. Before the transfer is approved, the resident must demonstrate prompt payment of rent and other charges, does not owe a previous balance and has no lease violations for the prior six (6) months.

To apply for a transfer: Resident shall submit a written request to the office and include the reason for the transfer.

Security deposits are not transferred after occupancy has been established except in the event of a property emergency. An inspection of your current apartment will be scheduled with management and submitted to the home office with your written request for transfer. If approved for transfer, resident must submit a new application along with a new security deposit. Transfers are processed as a new move-in and are subject to reverification of household income eligibility where applicable. After move out the former deposit will be refunded if there are no damages or amounts owing.

### **Live-In Caretakers**

A Live-In Caretaker will be considered if medically necessary as stated by a Medical Care Professional. A specific form is required and will be given to the Medical Care Professional by Management. A background check, including criminal reports, will be conducted on every live-in caretaker. If the caretaker has a criminal history as stated above, occupancy will not be granted. A Live-In Caretaker is a “person who resides with one or more elderly person(s), or near-elderly person(s), or person(s) with disabilities who 1. is determined to be essential to the care and well-being of the said person; 2. is not obligated for the financial support of the said person; and said person is not responsible for my caretaker’s financial support and 3. would not be living in the unit except to provide the necessary supportive services. The Live-In Caretaker will need to sign a lease addendum and affidavit.

### **Security Deposit**

The required security deposit for each unit is established at move-in. When a tenant transfers to a new unit, management will charge a new security deposit and refund the balance of the deposit for the old unit.

### **Non-Discrimination**

Our Community does not discriminate on the basis of race, creed, color, religion, sex, sexual orientation, disability, marital status, familial status, national origin, or age (provided the applicant has the capacity to enter into a binding contract). Additionally, Our Community will not discriminate against applicants because the applicant has in good faith exercised his or her rights.

The property does not discriminate against applicants or residents based on lawful source of income. Lawful sources of income may include, but are not limited to, wages, Social Security benefits, disability benefits, child support, alimony, veteran benefits, or housing assistance payments.

Applicants who receive rental assistance, including Housing Choice Vouchers administered under the Housing Choice Voucher Program, will not be denied housing solely because they participate in a rental assistance program.

Participation in a rental assistance program will not affect the order in which applicants are selected from the waiting list, and voucher holders will be processed using the same screening criteria applied to all applicants.

Management will cooperate with the applicable public housing authority to complete required documentation and inspections associated with rental assistance programs, provided the applicant otherwise meets the property’s eligibility and screening criteria.

All applicants, including those receiving rental assistance, must meet the property’s standard eligibility requirements including income qualifications, occupancy standards, and screening criteria as outlined in this Tenant Selection Plan.

The property will not advertise or apply policies that exclude applicants because they intend to use rental assistance.

### **Project complies with 504 Rehabilitation act of 1973**

#### **Waiting List**

Management does not currently accept applications to be on a waiting list.

#### **VAWA Policy**

This property complies with the protections provided under the Violence Against Women Act (VAWA). The purpose of VAWA is to protect individuals who are victims of domestic violence, dating violence, sexual assault, or stalking from being denied housing assistance or from being evicted due to acts of violence committed against them.

An applicant or resident will not be denied admission, have assistance terminated, or be evicted solely because they are or have been a victim of domestic violence, dating violence, sexual assault or stalking.

Incidents or threats of abuse committed against a tenant shall not be considered serious or repeated violation of the lease by the victim, nor shall they be considered good cause for terminating the tenancy of the victim.

If a tenant or applicant qualifies for protection under VAWA, the property may request documentation to certify that the individual is a victim of domestic violence, dating violence, sexual assault, or stalking. Acceptable forms of documentation may include:

- A self-certification form approved by the U.S. Department of Housing and Urban Development
- Documentation signed by a victim service provider, attorney, or medical professional
- A police or court record

All information provided related to a claim of domestic violence, dating violence, sexual assault, or stalking will be kept confidential and will not be entered into a shared database or disclosed to other parties except as required by law or with the written consent of the individual.

The property may bifurcate a lease in order to remove a household member who engages in criminal acts of physical violence against other household members, while allowing the victim and other household members to remain in the unit.

Residents who believe they qualify for VAWA protections should notify management as soon as possible so appropriate protections and accommodations may be provided.

The property will provide applicants and residents with the Notice of Occupancy Rights and the VAWA self-certification form at admission and when denial or termination of tenancy is issued.

#### **Recertification – Over LIHTC Income Limits**

If, upon recertification of income, your total household income exceeds 140% of the area median income (AMI), you will be responsible for market rental rate and will not longer be considered a low-income household.

Beacon Management, LLC complies fully with the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968) and all applicable state and local fair housing laws. We do not discriminate against any person based

on race, color, religion, sex, disability, familial status, or national origin. All housing advertised by Beacon Management, LLC is available on an equal opportunity basis. Any potential tenant, buyer, or applicant will be considered without unlawful discrimination. If you believe you have been discriminated against in violation of the Fair Housing Act, you may file a complaint with the U.S. Department of Housing and Urban Development (HUD) at [www.hud.gov/fairhousing](http://www.hud.gov/fairhousing) or call 1-800-669-9777 (TTY: 1-800-927-9275). For further assistance, please contact us at Beacon Management 402-341-0892 Toll Free 888-298-0888.