

Resident Selection Criteria

Senior Residences 55+ LIHTC, HOME, CDBG and National Housing Trust Fund

Effective Date: 10/01/2026

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 Land Use Restriction Agreement (LURA) and other regulatory agreements restricting the use of the property to eligible households under the Housing Tax Credit (LIHTC), HOME Investment Partnerships (HOME), Community Development Block Grant (CDBG), and National Housing Trust Fund (NHTF) programs.

Screening criteria will be applied in a manner consistent with all applicable laws, including the Texas and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines, and TDHCA's rules.

These Resident Selection Criteria and the property's other written policies, including the Reasonable Accommodation Policy and the Waitlist Policy, are available in the leasing office. Copies will be provided upon request to applicants, residents, or their representatives. A copy of these criteria is provided to each applicant before any application fee is accepted.

Policy for Changes to the Resident Selection Criteria

Changes to the Resident Selection Criteria may occur from time to time, including when required by changes to program rules, TDHCA rules, or federal or state law. Each revision will carry a new effective date, and residents will be notified in writing of the availability of the revised criteria by notice on the property website. Revised criteria relating to credit, criminal history, and occupancy standards will not be applied retroactively to current residents in good standing or to applicants already on the waiting list, except where required by program eligibility rules or by law. Prior versions of these criteria will be retained as required by TDHCA.

Project Specific Requirements

Our Community has agreed to a Regulatory Agreement. Applicants must be age **55 or older (see Age Requirements below)**. 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. 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 LIHTC, HOME, CDBG, and NHTF programs 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.

Unit Designations and Income Limits: Units are designated and information can be found on the website. Where a unit carries more than one designation, the most restrictive income and rent limits apply.

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. Prior to opening applications will be accepted in person at the leasing office during regularly posted office hours and by mail at 209 S 19th Street Omaha, NE 68102. Applications may also be submitted by email to lsatx@beacon.cc the property website <https://beacon.cc/custom-listing/legacy-senior-apartments-texas-1/> has the application on the page. You may also fax completed applications to 402-590-2445.

2. One application is completed per household. Each adult household member (18 or older) must complete and sign the required household forms.

3. Persons with disabilities may request a reasonable accommodation at any point in the application process, verbally or in writing, by contacting the management office. See the property's Reasonable Accommodation Policy, available in the leasing office.

4. Applications will be screened in accordance with the program eligibility requirements and the criteria set forth in the resident selection plan.

5. Upon completion of the application, management will meet with the applicant to review the application for accuracy and completeness.

6. Applicants will be required to provide proof of identity and age.

7. Based on the initial screening the applicant will be added to the waiting list according to the number of household members and bedrooms. Applicants needing an accessible unit will be noted on the waiting list entry and prioritized for accessible units as described in the property's Waitlist Policy, consistent with 24 CFR 8.27.

8. If a household, based on the number of members, would qualify for more than one unit size, the owner must allow the family to choose which unit size they prefer.

9. If no waiting list exists and the initial screen determines the applicant will likely be qualified, management will begin processing the application for occupancy when the completed application is received **AND** the deposit and application fees are paid.

10. Should the applicant fail to meet the income restrictions and/or other screening criteria management will provide a written denial notice as described in Procedures for Denial below.

Verification of applicant's statements and income

A. Applicants and tenants shall be required to furnish proof of any of their statements when required by Management to assure accuracy.

B. Certification by applicants will normally be considered sufficient verification of family composition.

Certification is provided by the applicant's signature on the Application for Housing

C. All earned income shall be verified at the time of admission, rent review, or annual re-certification through employers W-2 forms, check stubs, income tax returns, savings pass books, or other means to assure accuracy. All increases and decreases in income must be reported at annual re-certification.

D. Unearned incomes shall be verified by copies of checks, certificate of award, or other means to assure accuracy.

E. All determinations shall be fully documented in the files.

F. Verification shall be provided to the Owner as to income received from jointly held accounts, savings and other investments.

Applicant Selection

All applicants who meet the program eligibility requirements and resident selection criteria requirements will be selected from the waiting list in date-and-time order of application (first come, first served), subject to the accessible-unit priorities described in the Waitlist Policy.

Income Limits

HUD, TDHCA and The City of San Antonio establish and publish income limits annually based on family size for each county in the United States based on the median income of the geographic area. Except under limited circumstances, in order for an applicant to be eligible for occupancy, the household annual income of the household must not exceed the income limits of the unit selected at move in.

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 dependent 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 Workforce Innovation and Opportunity Act (formerly the Job Training Partnership Act) or a similar federal, state, or local program. Any household violating the LIHTC Student Rule will be terminated.

Should the unit you choose to rent also be designated as a HOME unit, any household member who is enrolled at an institution of higher education (full- or part-time) is not eligible unless the student meets at least one of the following: is 24 years of age or older; is a veteran of the U.S. military; is married; has a dependent child; is a person with disabilities who was receiving Section 8 assistance as of November 30, 2005; or is individually income-eligible and either has parents who are, individually or jointly, income-eligible or meets the definition of an independent student. If an in-place household becomes ineligible due to having any one member who is an ineligible student, the household will be treated as “over-income” per the HOME rules.

The National Housing Trust Fund housing program does not have student restrictions. However, an NHTF unit that is also a LIHTC or HOME unit and remains subject to the student rules above for those programs.

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 conviction or end of incarceration (whichever is later) or the period of required registration as a sex offender, whichever is greater

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

Arrests that did not result in a conviction will not be used as a basis for denial, and criminal history not listed above will not be used as a basis for denial. Applicants may submit evidence of mitigating circumstances (for example, evidence of rehabilitation, the age of the offense, or a record of good tenancy since the offense) and may request a reasonable accommodation if the criminal history is related to a disability. This information will be reviewed by the designated company representative, who will provide a written decision. Past history deemed violent in nature is reasonable for application denial.

Occupancy Standards

Occupancy is limited to two (2) persons per bedroom plus one (1) additional person per unit. Households may choose any unit size for which they qualify under this standard. A larger unit may be approved as a reasonable accommodation for a person with a disability.

Citizenship

Applicants will be required to provide government-issued identification and proof of age. The LIHTC program does not have a citizenship requirement. Where a funding program requires Social Security numbers, they will be requested and verified as that program requires.

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 agency. An application fee of \$25.00 will be charged to each adult applicant. A lack of credit history will not, by itself, be grounds for denial. A bankruptcy is considered to have erased all debt. Applicants may submit documentation of extenuating circumstances (for example, a documented job loss, medical emergency, or identity theft), which the Property Manager will review using the same standard for all applicants.

Income:

Applicants must have verifiable monthly household income of at least [2.5] times the monthly rent. For households participating in the Housing Choice Voucher program, HOME Tenant Based Rental Assistance, or another federal, state, or local rental assistance program, any minimum income requirement is limited to the greater of 2.5 times the household's share of the monthly rent or \$2,500 annually, and no household will be excluded because it participates in such a program. For HOME and NHTF designated units, applicants must provide statements of earnings and monthly or quarterly asset statements, in addition to third-party verification.

Guarantor:

A guarantor can only be used if the applicant, standing on their own meets a Predictive Factor Point Score of 7 to 10 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 obtain criminal reports on applicants as part of the credit check.
2. If the applicants pass step occupancy, credit, and age requirements but a criminal issue is relevant, all other screening will be completed prior to review of the criminal history.
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 at Our Community:

1. A written denial notice will be mailed within three (3) business days, and in no case later than seven (7) days, after the decision to deny. The notice will state the specific reason for the denial and the specific criterion in these Resident Selection Criteria on which it is based; provide contact information for any third party (such as a consumer reporting agency) that supplied the information relied upon; describe the appeal process below and how to request a reasonable accommodation; and include the TDHCA Notice of Occupancy Rights under VAWA (based on HUD-5380) and the Certification form (HUD-5382). A copy will be retained on site, and the denial will be recorded in the property's denied-applicant log.
2. To protect applicant privacy, the reasons for a denial will be provided in writing rather than by phone.

Please note: An application will be denied if any household member was evicted from federally assisted housing for drug-related criminal activity within the past three (3) years, unless the person has successfully completed a supervised drug rehabilitation program or the circumstances leading to the eviction no longer exist. An application will also be denied if management determines that a household member's current pattern of alcohol abuse may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

Appeal Process: Such notice shall clearly state the reasons why the application was disapproved. If any person or household is not satisfied with such determination, such person or household shall have the right to request, within fourteen (14) calendar days of the date of the mailing of such notice, a conference with the Manager and shall be afforded a reasonable opportunity to explain or demonstrate why such application should have been approved. After such conference, such person or household shall be notified in writing by the Manager if no change is appropriate. Such notice shall clearly state the reasons why the application has been disapproved.

If any person or household is not satisfied with such determination, such person or household shall have the right to request within fourteen (14) days of the date of the mailing of such notices, a conference with a representative of Beacon Management, the Managing Agent, and shall then be afforded a reasonable opportunity to explain or demonstrate why such application should have been approved. The Managing Agent shall then provide notice in writing to the applicant the decision.

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. Unit transfers may be indicated because of family size and changes in family composition. Unit transfers due to VAWA status and request for emergency transfers will be permitted.

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 the 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 time of application. When a resident transfers to a new unit, security deposits will be handled as described in the Unit Transfer Policy.

Parking

The resident may be requested to provide proof of proper registration/license and insurance. Parking may be assigned at any time by management in order to accommodate the needs of our residents with special needs or disabilities.

Non-Discrimination

Our Community does not discriminate on the basis of race, color, religion, creed, national origin, familial status, disability, sex, marital status, age (provided the applicant has the capacity to enter into a binding contract), actual or perceived sexual orientation, or gender identity. Our Community will not discriminate against applicants whose income derives from any public assistance program or because the applicant has in good faith exercised his or her rights.

As housing for older persons under HOPA, the property's age requirement is a lawful exemption from the familial status provisions of the Fair Housing Act and does not violate this policy.

The Owner will abide by the nondiscrimination requirements of:

1. Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin in programs receiving federal financial assistance;
2. Title VIII of the Civil Rights Act of 1968, which prohibits discrimination based on race, color, religion, national origin or sex on the sale of, rental housing;

3. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on handicap in programs receiving Federal financial assistance;
4. The Age Discrimination Act of 1975, which prohibits discrimination based on age in programs receiving Federal Financial Assistance;
5. Executive Order 11063, which requires HUD to take whatever action is necessary to prohibit discrimination based on race, color, national origin, religion (creed), or sex in housing receiving Federal financial assistance;
6. Fair Housing Amendment Act of 1988. The Owner shall not discriminate against any applicant because of religious preference or political affiliation. No preference will be shown any applicant because of political affiliation or acquaintance with any public official at the Federal, state, or local level. In addition, there shall be no discrimination against any applicant receiving part or all in his or her income from public assistance.
7. Affirmative Marketing.
 - o All Advertising and literature will carry the Equal Housing logo or slogan.
 - o When seeking tenants to fill vacant units, written notices of vacancies will be sent to the Department of Family Services, the local Salvation Army, Community Action Agencies, Family planning services, Senior Citizens Centers, Battered Women's Shelters, Homeless Programs, Local Housing Authorities, employment Centers, places of worship or other community organizations that work with low-income persons.
 - o Any alleged housing discrimination complaints will be forwarded to the U.S. Department of Housing and Urban Development.

VAWA Protections

The Landlord may not consider incidents of domestic violence, dating violence, sexual assault, or stalking as serious or repeated violations of the Lease or other "good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse. Landlord will provide all applicants and tenants with the TDHCA Notice of Occupancy Rights under VAWA (based on HUD-5380) and the Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (HUD-5382). These forms will be provided to each adult household member at the time of application and with any denial, non-renewal, or termination notice.

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 other person under the tenant's control, 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.

The Landlord may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence, Sexual Assault, 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 VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe means the Landlord is not required to provide VAWA protections, but it is not, by itself, a ground for eviction.

Landlord will not discriminate against an applicant or tenant on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. Tenants may request an emergency transfer if they reasonably believe there is a threat of imminent harm from further violence if they remain in the same unit, or in the case of sexual assault, if the assault occurred within the preceding 90-calendar-day period at the property

Landlord will maintain the confidentiality of any information related to a tenant's status as a victim of domestic violence, dating violence, sexual assault, or stalking.