

BRENTWOOD PLACE APARTMENTS

**32 BRENTWOOD PLACE
FORSYTH, GA 31029**

TENANT SELECTION PLAN

MANAGED BY:

**TOWER MANAGEMENT COMPANY, INC.
P.O. BOX 509
CASSVILLE, GA 30123
770-386-2921**

Effective: April 1, 2016



INTRODUCTION

Statement of Nondiscrimination

It is the policy of Brentwood Place Apartments (hereinafter referred to as Management), to promote equal opportunity and non-discrimination in compliance with, but not limited to, the federal and state constitutions and legislative enactments addressing discrimination in housing including, The Fair Housing Amendments Act of 1988, 42 U.S.C.A. 3601-3620, Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A, 794 et seq., The Americans with Disabilities Act of 1990, 42 U.S.C.A., 12101-12213, Title VI of the Civil Rights Act of 1964, 42 U.S.C.A, 2000d, the Age Discrimination Act of 1975, 42 U.S.C.A., 6101-6107, Executive Order 11,063, and all other relevant State Laws, and HUD's Equal Access Rule. In furtherance of this policy:

Management will not discriminate on the basis of race, color, creed, religion, national or ethnic origin, ancestry, sex, marital status, actual or perceived sexual orientation or gender identity, marital status, familial status, disability, age or other basis prohibited by local, state or federal law in any aspect of tenant selection or matters related to continued occupancy. Management will affirmatively market the property as specified in its Affirmative Fair Marketing Plan.

Applicants with Disabilities and Reasonable Accommodations

Management will make reasonable accommodations in policies or reasonable modification of common or unit premises for all applicants with disabilities (as defined in the above listed Acts or any subsequent legislation) who require such changes to have equal access to any aspect of the application process or to the development and its programs and services; e.g., arrange for sign language interpreters or other communication aides for interviews during the application process.

Management will take affirmative steps to communicate with persons who need services or information in a language other than English. These services will be provided for applicants and tenants who do not speak English and who have a limited ability to read, write, speak, or understand English. These services may be provided by means of interpreter services, staff members, telephone relay services, volunteers, family members, written materials translated into other languages and/or competent oral translations of documents.

Income Limits

Pursuant to HOME regulations, at admission, tenants are ineligible if the family's cumulative income exceeds the HUD published income limits for the HOME program for the Monroe County area. The property contains both HIGH HOME and LOW HOME units as follows:

HIGH HOME (60% AMI)

LOW HOME (50% AMI)

7 – 1BR Units
40 – 2BR Units
16 – 3BR Units

2 – 1 BR Units
10 – 2BR Units
4 - 3BR Units

Current income limits and rents are posted on the property's bulletin board.

Waiting List and Tenant Selection

Accepting Applications

The application form:

- Collects all the necessary information to determine program eligibility for the HOME program including income from all sources, and family status;
- Provides the opportunity to state the need or desire for an accessible unit;
- Lists all members of the household, including live-in aides;
- Includes a self-certification as to the accuracy the information contained in the application form.

There is a non-refundable application fee of \$25 due at the time the application is submitted.

Every application must be completed and signed by the head of the household and spouse as applicable. All household members 18 years or older must sign a release to conduct verifications for income and assets, criminal background history, and past landlord history. Live-in aides must sign a release for a criminal background check.

Management will process applications as follows:

Review for completeness – Prior to listing on the applicant on the waiting list, applications will be reviewed for completeness. Incomplete applications will be rejected, returned to the applicant and will not be evaluated until all of the required information has been provided.

Preliminary determination of program ineligibility - Completed applications will be reviewed for income eligibility and compliance with other eligibility requirements such as past landlord history and criminal history. Applications determined ineligible, pursuant to program guidelines, will be rejected in accordance with procedures outlined herein.

Minimum Income: Tenants without Section 8 rental assistance must have a verified total family income of at least three times the contract rent.

Waiting list placement - Once a fully completed application is determined to meet income eligibility requirements, the applicant will be placed on the waiting list, by date and time of receipt of the application.

Notification of Application Status – Management will send a written response to each applicant stating the status of their application.

Priorities for Accessible or Adaptable Units

As applicable, persons with mobility, visual, or hearing impairments, or households containing at least one person with such impairment, will have first priority for units with the required accessible features. NOTE: Current residents requiring accessible/adaptable units shall have priority over applicants requiring the same type unit.

When persons without disabilities are moved into a physically accessible unit, the tenant shall do so only after agreeing to move to a unit with no such design features at their own expense should an applicant or current resident require an accessible unit of the type currently occupied by the persons without disabilities.

Applicant Screening Criteria

The Tenant Selection Plan sets forth the essential requirements of tenancy and the grounds on which tenants may be rejected. Rejection of an applicant is appropriate where Management has a reasonable basis to believe that the tenant cannot meet the essential requirements of the lease as summarized below:

- To pay rent and other charges under the lease in a timely manner;
- To care for and avoid damaging the unit and common areas, to use facilities and equipment in a reasonable way, and to create no health or safety hazards;
- Not to interfere with the rights of others and not to damage the property of others;
- Not to engage in any activity that threatens the health, safety or right to peaceful enjoyment of other residents or staff;
- Not to engage in any drug-related, violent, or other criminal activity on or off the premises that would be detrimental to the safety and well-being of residents should it occur on the premises;
- To comply with necessary and reasonable rules and program requirements of the housing provider.
- No history of disturbance of neighbors in a prior residence or behavior, which if repeated by a tenant, would substantially interfere with the rights of other tenants to peaceful enjoyment of their units.

Screening Procedures

Management will secure background information from one or more of the following sources for all adult household members to obtain information regarding an applicant's ability to meet the essential requirements of tenancy:

- References from previous landlords;
- Court records reflecting judgments for past tenancies;
- Criminal History records regarding criminal convictions;
- Record of a state mandatory lifetime sex offender registration;
- Verification of income either from a present employer, appropriate agency, financial institution or other appropriate party;
- Verification of a disability when necessary from a medical professional when the applicant requests a modification to a unit, or other reasonable accommodation, such as a live-in aide.

The screening process will be administered uniformly to all applicants without regard to race, color, religion, national origin, sex, disability, familial status, actual or perceived gender identity, or marital status.

Protection for Victims of Domestic Violence

Based on the provisions of the Violence Against Women's Act of 2005 and Reauthorization Act of 2013, Management will protect tenants and family members of tenants who are victims of domestic violence, sexual assault, dating violence, or stalking from being denied, evicted or terminated from housing assistance based on acts of such violence against them. At lease signing, Management will have tenants execute the VAWA Lease Addendum (HUD form 91067.)

When responding to an incident or incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking that may affect a current tenant's participation, Management will request in writing that an individual complete, sign and submit, within 14 business days of the request, a HUD Form 91066 Certification of Domestic Violence, Dating Violence or Stalking, whereby the individual certifies that he/she is a victim of domestic violence, dating violence, or stalking, and that the incident or incidences in question are bona fide incidences of such actual or threatened abuse, along with any available documentation of the abuse.

In lieu of a certification form, or in addition to the certification form, a tenant may provide one of the following: (1) a Federal, State, tribal, territorial, or local police

record or court record; (2) documentation signed and attested to by an employee, agent or volunteer of a victim service provider, an attorney or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking, or the effects of abuse, in which the professional attests under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim of domestic violence, or stalking has signed or attested to the documentation.

If the individual does not provide the form HUD-91066 or the information that may be provided in lieu of the certification by the 14th business day or any extension of that date provided by Management, none of the protections afforded to the victim of domestic violence, dating violence or stalking will apply. Management will therefore be free to evict, or to terminate assistance, in the circumstances authorized by otherwise applicable law and lease provisions.

All information provided to Management relating to the incident(s) of domestic violence, including the fact that an individual is a victim of domestic violence shall be retained in confidence and shall neither be entered into any shared database nor provided to any related entity, except to the extent that such disclosure is (i) requested or consented to by the individual in writing; (ii) required for use in an eviction proceeding or termination of assistance; or (iii) otherwise required by applicable law.

Management will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault, or stalking in a separate file that is kept in a separate secure location from the other tenant files.

Rejecting Ineligible Applicants

Prohibition of discrimination in the denial of tenancy or rental assistance:

Management will not discriminate against an applicant based on race, color, religion, sex, national origin, familial status, marital status, disability, or actual or perceived sexual orientation or gender identity.

Prohibition of denying assistance to victims of domestic violence, sexual assault, dating violence or stalking: As stated above, the VAWA protects victims of domestic violence, dating violence, stalking, or sexual assault, as well as, their immediate family members, from being denied housing assistance if an incident of violence is reported and confirmed. An applicant's status as a victim is not a basis for denial of rental assistance or for denial of admissions, if the applicant otherwise qualifies for assistance or admission.

Prompt notification: Management will promptly notify the applicant in writing of the denial of admission or assistance. The applicant will have ten days from the date of the denial to request a review of the application with management.

504 Modification Requests

Any 504 Modification Requests and supporting documentation must be submitted in writing, and will be reviewed by the 504 Coordinator. A decision will be provided in writing within ten working days, unless there is a problem getting all the information needed or a longer time is agreed upon.

If the request is denied, the reason will be explained to the applicant/resident and other feasible options which do not present a financial and/or administrative burden, or otherwise pose a fundamental alteration to the nature of the housing program may be explored.

All questions or grievances concerning reasonable accommodations requests or denials should be directed to the 504 Coordinator as follows:

Brenda Smith
Section 504 Coordinator
P.O. Box 509
CASSVILLE, GA 30123
770-386-2921 ext. 1

Leasing Process

When a unit becomes available for occupancy, it will be offered to the applicant at the top of the waiting list for that apartment type. The applicant will be mailed a letter stating that the applicant has ten working days to contact Management. If the applicant fails to respond within ten days of the date of the offer letter, the application will be cancelled and the apartment will be offered to the next applicant on the waiting list.

Upon offer of an apartment, the applicant shall have an opportunity to inspect the apartment along with management and to sign a rejection or acceptance of offer form.

Upon acceptance of the offer, the applicant will then have five days to complete the move-in process. Before the end of this period, the applicant must complete all outstanding preoccupancy requirements such providing proof of payment of Security Deposit, prorated rent, proof of utilities, and lease execution.

Failure to complete all of the move-in requirements within the assigned period may result in withdrawal of the offer and deactivation of the application.