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**TENANT SELECTION PLAN for Liberty Place 11 MOU units for the 811 program**


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**IT IS THE POLICY OF ROYAL AMERICAN MANAGEMENT TO PROVIDE HOUSING ON EQUAL OPPORTUNITY BASIS. WE DO NOT DISCRIMINATE ON THE BASIS OF RACE, RELIGION, COLOR, SEX, FAMILIAL STATUS, NATIONAL ORIGIN OR HANDICAP. WE COMPLY WITH HUD'S FINAL RULE TO MAKE HOUSING AVAILABLE WITHOUT REGARD TO SEXUAL ORIENTATION OR GENDER IDENTITY.**

**WAITING LIST & UNIT TRANSFER SELECTION PRIORITIES**

It is likely that there will be more applicants for housing than can be assisted. In order to select those families most in need of housing, HUD and Royal American Management have established the following priority, preferences and statutory categories that will be the basis of selecting residents from among all applicants:

1. Eligible Families with handicapped or disabled persons who **need the features of a vacant assessable unit.**
2. 100% of all 11 units for the 811 program will be set aside for families whose total gross family income does not exceed 30% of the area median income as established by HUD. We will admit only extremely low-income families in these units.
3. In-house mandatory transfers due to overcrowding or underutilization (management initiated), need for accessible unit due to medical condition/medical equipment.
4. The MOU with DCA states owner will hold vacant units for 10 days from notification of a vacancy for referrals from DCA for the 811 program. This will be done only until 11 units are occupied by residents participating in the 811 program.
5. In-house transfers initiated per resident request, after initial 12 month lease term.

Within each of the above listed groups, approved applicants will be housed based solely on the date and time of application.

**WAITING LIST MANAGEMENT**

It is the policy of Management to administer its Waiting List as required by HUD handbooks and regulations. Applicants will be referred by DCA for openings for any of the 11 units to be set aside for residents participating in the 811 program. The 11 units are not tied to specific units within the property.

Removal of Applications from the Waiting List: Property will not remove an applicant's name from the Waiting List unless:

- a) the applicant/DCA requests that the name be removed,
- b) the applicant/DCA was clearly advised, in writing, of the requirement to tell Property of his/her continued interest in housing by a particular time and failed to do so,
- c) property made a reasonable effort, in writing, to contact the applicant/DCA to determine if there was continued interest in housing but has been unsuccessful, or
- d) property has notified the applicant/DCA, in writing, of its intention to remove the applicant's name, because the applicant no longer qualifies for assisted housing, or
- e) applicant/DCA refused second offer of unit for other than medically related reason.
- f) applicant was unable to disclose and/or verify the SSN's of all non-exempt household members within the 90-day period after applicant was offered an apartment.

**ELIGIBILITY (PROGRAM) CRITERIA**

In the selection of applicants for admission, Eligibility Criteria have been established in accordance with **HUD guidelines**. All applicants will be screened carefully to include EIV Existing Tenant Search to verify current subsidy and the following eligibility standards will be applied:

1. **Provide Information:** All applicants must cooperate in completing the rental application and providing information necessary to determine their eligibility for HUD housing assistance.
2. **Income Limits:** Applicants must qualify under the income guidelines established by the Department of Housing and Urban Development. The current, applicable income limits will be posted in the management office.
3. **Occupancy Standards:** Applicants must meet the established occupancy standards. As a general policy, there should be a minimum of one person per bedroom and no more than two persons per bedroom. Management shall take into consideration mitigating circumstances in cases where applicants or residents have a verifiable need for a larger unit.

Note: Any family placed in a unit size different than that defined in these Occupancy Standards shall agree to transfer to an appropriate size unit when one becomes available (in accordance with the Transfer Policy and



Lease Addendum).

Dwelling units will be assigned in accordance with the following standards:

<u>Bedroom Size</u>	<u>Persons Per Household</u>	
	<u>Minimum</u>	<u>Maximum</u>
0/1	1	2
2	2	4
3	3	6
4	4	8

4. **Social Security Numbers:** All applicants must disclose and provide documentation of social security numbers for all household member, with the following exceptions: noncitizens who do not claim to have eligible immigration status or for applicants who were 62 and over as of 1/31/2010 and their initial determination was started prior to 1/31/2010. If applicant cannot provide documentation, applicant will have ninety (90) days from the date they are first offered an available unit, to provide such documentation.
5. **Birth Certificates:** Birth certificates must be provided for all household members, or comparable document
6. **U.S. Citizenship:** Applicants must declare U.S. Citizenship, or submit evidence of eligible immigration status for each family member in accordance with Section 214 of the Housing and Community Development Act of 1980, as amended. Households that have no members with citizenship or eligible immigration status do not qualify for assistance. Pro-rated assistance is available to families whose households include at least one member with citizenship or eligible immigration status that has been verified through the INS.
7. **Criminal Activity:** Management’s established policy is to reject all applications where the applicant or any household member has engaged in certain criminal activity. Below activities are grounds for rejection:
  - a. **Eviction for Drug Related Criminal Activity:** If the applicant or any household member has been evicted from federally assisted housing for drug related criminal activity, the application will be rejected.
  - b. **Illegal Drug Use:** If the applicant or any household member is currently engaged in illegal use of a drug OR shows a pattern of illegal use that may interfere with the health, safety, or right to peaceful enjoyment by other residents, the application will be rejected.
  - c. **Alcohol Abuse:** If a determination is made that the applicant or any 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, the application will be rejected.
  - d. **Sex Offenders:** If the applicant or any household member has a conviction or adjudication other than acquittal, for any sexual offense, or any household member who is subject to a state sex offender lifetime registration requirement, the application will be rejected.

**ACCEPTANCE CRITERIA**

All applicants must cooperate in completing the rental pre-application/ application and provide information necessary to determine an acceptable credit, rental and criminal history. For acceptance the applicant and all members of the household must demonstrate:

1. **Good Rental History:** A willingness and ability to:
  - a. conform to rules and regulations and a respect for the rights of others;
  - b. abide by the lease and house rules;
  - c. pay rent and utilities on time.
2. **Good Housekeeping:** Housekeeping habits at prior residences which did not adversely affect the health, safety, or welfare of other residents or cause damage to the apartment or community.
3. **Good Credit History:** A satisfactory history in meeting financial obligations on a timely basis; including rent, utility payments, loans and credit.
4. **Good Criminal Record:** A history of the applicant, or any household member, which does not include any criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; any criminal activity that threatens the health, safety, or right to peaceful enjoyment of their residences by persons residing in the immediate vicinity of the premises; any criminal activity that would threaten the health or safety of any property management staff responsible for managing the premises.
5. **Reference Requirement:** In cases where there is a total lack of Rental **and** Credit History, applicants will be required to provide an acceptable Housing Provider Reference and at least two satisfactory Professional Reference Letters from persons other than family members. A Home Visit may be used to confirm the information received in the Housing Provider Reference.
6. **Student Eligibility Requirements:** “No section 8 assistance shall be provided to any individual who:
  - Is enrolled as a student at an institution of higher education & any one of the following applies to them:
    - 1) Is under the age of 24
    - 2) Is not a veteran of the United State military
    - 3) Is unmarried
    - 4) Does not have a dependent child
    - 5) Is not a person with disabilities, as such term is defined in section 3(b)(3)(F) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as



of November 30, 2005; and 6) Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive section 8 assistance.”

The above applies to all individuals enrolled as students at an institution of higher education unless the student is living with his or her parents who are applying for or receiving Section 8 assistance or is a person over the age of 23 with dependent children.

“Financial assistance, in excess of amounts received for tuition that an individual receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education is considered income for that individual, except for persons over the age of 23 with dependent children.”

## **REJECTION CRITERIA**

Management reserves the right to reject applicants for admission if it is determined that the applicant or any member of the household falls within any one or more of the following categories:

1. **Misrepresentation:** Willful or serious misrepresentation in the application procedure for the apartment or certification process for any government assisted dwelling unit.
2. **Records of Disturbance of Neighbors, Destruction of Property or Other Disruptive or Dangerous Behavior:** Includes behavior or conduct which adversely affects the safety or welfare of other persons by physical violence, gross negligence or irresponsibility, which damages the equipment or premises in which the family resides, or which is disturbing or dangerous to neighbors or disrupts the quiet and peaceful enjoyment of their home and community life.
3. **Violent Behavior:** Includes evidence of acts of violence or of any other conduct, which would constitute a danger or disruption to the peaceful occupancy of neighbors.
4. **Non-compliance with Rental Agreement:** Includes evidence of any failure to comply with the terms of rental agreements at prior residences, such as failure to recertify as required, providing shelter to unauthorized persons, keeping pets, or other acts in violation of rules and regulations.
5. **Owing Prior Landlords:** Applicants who owe a balance to present or prior landlords will not be considered for admission until the account is paid in full and reasonable assurance is obtained that the causes for nonpayment of rent or damages have changed sufficiently to enable the family to pay rent and other charges when due.
6. **Owing Utility Providers:** Applicants who owe a balance to the local utility provider for present or prior residences will not be considered for admission until the account is paid in full and reasonable assurance is obtained that the contributing causes for failure to pay the utility bill have changed sufficiently to enable the family to pay and maintain utilities in the name of the head of household.
7. **Unsanitary or Hazardous Housekeeping:** Includes generally creating any health or safety hazard through acts of neglect and causing or permitting any damage to or misuse of premises and equipment, if the family is responsible for such hazard, damage or misuse, including but limited to, causing or permitting infestation, foul odors or other problems injurious to other persons' health, welfare or enjoyment of the premises; depositing garbage improperly; failing to use in a reasonable and proper manner all utilities, facilities, services, appliances and equipment within the dwelling unit or failing to maintain them in a clean condition; or any other conduct or neglect which could result in health or safety problems or in damage to the premises.
8. **Credit History:** A consistent, severe or recent history of deficiencies in overall credit or rent payment which indicate the family will be unable or would otherwise fail to pay when due rent for the apartment and other expenses relating to occupancy of the apartment.
9. **Criminal Activity:** Management has established a policy to reject all applications where the applicant or any household member has engaged in certain criminal activity. The activities that will be grounds for rejection of an application are as follows:
  - a. Any conviction or adjudication other than acquittal within the last 5 years of a misdemeanor causing **injury to a person or property.**
  - b. Any conviction or adjudication other than acquittal for the **sale, distribution or manufacture of any controlled or illegal substance.**
  - c. Any conviction or adjudication other than acquittal within the last 5 years of a misdemeanor involving **illegal use or possession of any controlled or illegal substance.**
  - d. Any **current illegal user or addict of a controlled or illegal substance.**
  - e. Any act which results in the person's tenancy **constituting a threat** to the health or safety of other individuals, **result in substantial physical damage** to the property of others, or **interfere with the peaceful and quiet enjoyment** of the premises.
  - f. Any conviction or adjudication other than acquittal, for **any sexual offense or first degree murder.**
  - g. Any conviction or adjudication other than acquittal, of a **crime classified as a felony.**
  - h. **Eviction for Drug Related Criminal Activity:** If the applicant or any household member has been evicted from federally assisted housing for drug related criminal activity, within 3 years, the application will



be rejected.

- i. **Alcohol Abuse:** If a determination is made that the applicant or any household member's abuse, pattern of abuse, of alcohol interferes with the health, safety or right to peaceful enjoyment of the premises by other residents, the application will be rejected.
- j. **Management requires criminal background checks at each Move In and monitors monthly.**

10. **Unsatisfactory References:** In cases where there is a total lack of Rental **and** Credit History, responses received from Housing Provider References and/or Professional References must show acceptable history and/or traits, otherwise the application will be rejected.

11. **Grievance Procedure:** Management will follow the grievance process in compliance with requirements set forth in the HUD Handbook 4350.3 when rejecting an application, management will:

- a. provide notification in writing of reasons for rejection;
- b. inform the applicant they have 14 days to request, in writing, a meeting to discuss the rejection;
- c. participate through a representative in an informal meeting;
- d. provide a written determination to the applicant within 5 days of meeting.

Note- see grievance procedures posted in office for residents to view.

12. **Does not Meet Student Eligibility Requirements.**

**NOTE: Reasonable Accommodation:** If the applicant requests an additional interview to determine whether mitigating circumstances or reasonable accommodations would make it possible to accept his/her application, Management will do so based on Section 504 of the Rehabilitation Act of 1973.

**Domestic Violence:** *Special consideration/accommodation may be granted to victims of domestic violence, dating violence, and stalking as per the Violence Against Women Act of 2005. You must contact management immediately for such consideration/accommodation.*

**I have been given the opportunity to ask any questions that pertain to the Tenant Selection Plan. By signing below certify that we/I have read and received a copy of this plan.**

\_\_\_\_\_  
Signature of Head of Household

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Co-head of Household

\_\_\_\_\_  
Date

