

OAKS AT PARK POINTE APARTMENTS
RESIDENT SELECTION GUIDELINES
PBRA RAD / SECTION 42 / HOME / SECTION 811 PRA

The “Oaks at Park Pointe” Apartments are located at 420 Park Road, Griffin, GA, 30224. The Oaks at Park Pointe Apartments consists of 84 subsidized apartments consisting of 48 two-bedrooms and 36 three-bedrooms. The economic income limits for The Oaks at Park Pointe are 30%, 50% and 60% of the area median income for Spalding County. All 84 apartments at Oaks at Park Pointe are Section 42 Tax Credit and HOME units and 42 units are under a Project Based Rental Assistance RAD contract. Additionally, 11 two-bedroom Non-PBRA RAD units will be set aside for Section 811 residents.

1. FAIR HOUSING AND EQUAL OPPORTUNITY REQUIREMENTS STATEMENTS OF NONDISCRIMINATION

It is the policy of Oaks at Park Pointe Apartments to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, Titles II and III of the American Disabilities Act, as applicable to Section 109 of the Housing and Community Development Act of 1974 and Fair Housing Amendments Act of 1988, Equal Access to Housing in HUD Programs – Regardless of Sexual Orientation or Gender Identity Final Rule and any legislation protecting the individual rights of residents, applicants, or staff which may subsequently be enacted.

Oaks at Park Pointe Apartments shall not discriminate because of race, color, age, religion, sex, disability, familial status and national origin in the leasing, rental, or other disposition of housing regardless of sexual orientation or gender identity or marital status of applicants and residents in any of the following:

- a. deny to any household the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs,
- b. provide housing which is different than that provided others,
- c. subject a person to segregation or disparate treatment,
- d. restrict a person’s access to any benefit enjoyed by others in connection with the housing program,
- e. treat a person differently in determining eligibility or other requirements for admission,
- f. deny a person access to the same level of services, or
- g. deny a person the opportunity to participate in a planning or advisory group which is an integral part of the housing program.
- h. deny any person holding a Section 8 voucher as long as they meet the eligibility requirements.

Oaks at Park Pointe Apartments will seek to identify and eliminate situations or procedures which create a barrier to equal housing opportunity for all. In accordance with Section 504, the Fair Housing Act, and the Americans with Disabilities Act, Oaks at Park Pointe Apartments will make reasonable accommodations for individuals with handicaps or disabilities (applicants or residents). Such accommodations may include changes in the method of administering policies, procedures, or services.

2. PRIVACY POLICY

It is the policy of Oaks at Park Pointe Apartments to guard the privacy of individuals conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals’ records maintained by Oaks at Park Pointe Apartments.

Therefore, neither Oaks at Park Pointe Apartments nor its agents shall disclose any personal information contained in its records to any person or agency unless the individual about whom information is requested shall give written consent to such disclosure.

This Privacy Policy in no way limit’s Oaks at Park Pointe Apartments’ ability to collect such information as it may need to determine eligibility, compute rent, or determine an applicant’s suitability for tenancy. Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, any information obtained on handicap or disability will be treated in a confidential manner.



3. QUALIFYING FOR ADMISSION

Based on Federal Regulations, Oaks at Park Pointe Apartments may not admit ineligible applicants. In the selection of applicants for admission, Eligibility Criteria has been established in accordance with HUD Guidelines. All applicants will be screened carefully and the following eligibility standards will be applied:

In order to be ELIGIBLE, a household must meet the following tests:

- a. must be a returning Meriwether resident;
- b. must be on the DCA Section 811 Waitlist;
- c. must have an annual income at or below program income limits;
- d. must have previously demonstrated an ability to pay rent and adhere to a Lease;
- e. must have a Social Security Number for each household member, if no Social Security Number assigned they must sign certification stating this;
- f. the household size must be appropriate for the available apartments;
 - 1) 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.
 - 2) Any family placed in a unit size different than that defined in these Occupancy Standards shall agree to transfer to an appropriate size when one becomes available (In accordance with the Transfer Policy).
 - 3) 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>
2	2	4
3	3	6

- g. must not have a criminal background that falls in the following Criminal Activity (Returning Meriwether Residents are not subject to rescreening):
 - 1) 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.
 - 2) 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. A pattern is considered 3 or more incidents.
 - 3) Sex Offenders: If the applicant or any household member is subject to a state sex offender registry or has a conviction or adjudication other than acquittal, for any sexual offense, the application will be rejected. There is an exception to rejection of the application. Households that wish to live here and receive federal HUD assistance have the opportunity to remove the household member whose name appears on a state sex offender registry from the application. Sex offender searches will be performed on all household members 18 years old and older once a year during recertification. If sex offender records are found after move-in, eviction procedures will be initiated. There is an exception to eviction. Households that wish to live here and receive federal HUD assistance have the opportunity to remove the household member whose name appears on a state sex offender registry from their household. Documentation, including but not limited to, legal lease signed by parties; utilities in their name; US Postal service certified mailing address change; etc., must be provided as proof that the household member has moved.
 - 4) Felony Convictions: If the applicant or any household member has a felony conviction within the past seven (7) years or has been incarcerated for any felony conviction within the past seven (7) years, the application will be rejected.
 - 5) Antisocial Conviction: If a determination is made that the applicant or any household member demonstrates a pattern of alcohol, domestic offense or assault, and/or drug incidents, the application will be rejected. A pattern is considered 3 or more incidents.



Being eligible, however, is not an entitlement to housing. In addition, every applicant must meet the Resident Selection Guidelines. The Resident Selection Guidelines are used to demonstrate the applicant's suitability as a resident using verified information on past behavior, to document the applicant's ability, either alone or with assistance, and to comply with essential lease provisions and any other rules and regulations governing residency.

4. APPLICATION INTAKE AND PROCESSING

It is Oaks at Park Pointe Apartments policy to accept and process applications in accordance with applicable HUD Handbooks and Regulations when applicable.

All applications are taken on site at Oaks at Park Pointe Apartments. Failure to respond to letters may result in withdrawal of an application from further processing. Management may make exceptions to the procedures described herein to take into account circumstances beyond the applicant's control (for example, medical emergencies or extreme weather conditions).

Every application must be completed and signed by the head of the household, spouse, and every adult household member 18 years and older. All other members of the household will be listed on the Application. Oaks at Park Pointe Apartments shall accommodate persons with disabilities who, as a result of their disabilities, cannot utilize the owner's preferred application process by providing alternative methods of taking applications. Staff assistance might take the form of answering questions about the Application, helping applicants who might have literacy, vision, or language challenges, and, in general, make it possible for interested parties to apply for assisted housing.

Upon acceptance of the completed application, the date and time of acceptance will be recorded on the application. The information presented by the applicant on the application will then be reviewed and a preliminary eligibility determination will be made. If preliminary eligibility is met and a unit is available the application will be processed for admission; if no unit is currently available, the applicant will be placed on the waiting list. If deemed ineligible, the application will be rejected and the applicant will be notified in writing.

5. PRIORITIES FOR ACCESSIBLE OR ADAPTABLE APARTMENTS

For apartments accessible to, or adaptable for, persons with mobility, visual, or hearing impairments, households containing at least one person with such impairment will have first priority (as applicable for a particular apartment feature). NOTE: Current residents in good standing, requiring accessible/adaptable apartments, shall be given priority over applicants requiring the same type apartment. Where persons without disabilities are moved into apartments designed to meet special needs, they shall do so only after agreeing to move to an apartment with no such design features should an applicant or current resident require an accessible apartment of the type currently occupied by the persons without disabilities.

6. WAITING LIST SELECTION PROCEDURES

NOTE: Current residents, in good standing, who may qualify for rental assistance or who meet the qualifications listed in the Transfer Policy for transfer to a different unit shall be given priority over applicants. 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, the following categories will be the basis of selecting residents from among all applicants:

- a. Elderly, handicapped or disabled eligible families when units are designated for their use.
- b. Returning Meriwether residents
- c. Section 811 residents
- d. Marketing for the Section 42/ HOME programs will be targeted towards potential residents who have incomes that do not exceed 50% and 60% of the area median income.
- e. Marketing for the PBRA RAD and Section 811 programs will be targeted towards potential residents who have incomes that do not exceed 30% of the area median income.
- f. Within each of the above listed groups, approved applicants will be housed based solely on the date and time of application.



7. WAITING LIST MANAGEMENT

Georgia Department of Community Affairs (DCA) maintains the Waiting List for the Section 811 residents. If there are no applicants on the DCA Waiting List interested in applying to The Oaks at Park Pointe, then DCA will notify The Oaks at Park Pointe and the unit can be leased to a Non-Section 811 resident from the property Waiting List.

The Oaks at Park Pointe administers its Waiting List as required by HUD handbooks and regulations.

1. Opening and Closing Waiting Lists

In order to maintain a balanced application pool, Oaks at Park Pointe Apartments, may, at its discretion, restrict application taking, suspend application taking, and close Waiting Lists in whole or in part. Oaks at Park Pointe Apartments will also update the Waiting List by removing the names of those who are no longer interested in or no longer qualify for housing.

If Oaks at Park Pointe Apartments has sufficient applications, it may elect to:

- 1) close the Waiting List completely,
- 2) close the Waiting List during certain times of the year, or

Decisions about closing the waiting list will be based on the number of applications available for a particular size and type of apartment and the ability of Oaks at Park Pointe Apartments to house an applicant in an appropriate apartment within a reasonable period of time. Closing the Waiting Lists, restricting intake, or opening the Waiting Lists will be documented. Oaks at Park Pointe Apartments will use a one year waiting period to determine whether the Waiting List may be closed.

Notification of closings and reopening of the wait list will be as follows:

- 1) A message will be recorded on Oaks at Park Pointe Apartments answering machine or voice message system.
- 2) A notice will be posted on the office door of Oaks at Park Pointe Apartments for one week.
- 3) An ad will be placed in one of the local newspaper(s).

During the period when the Waiting List is closed, Oaks at Park Pointe Apartments will not maintain a list of individuals who wish to be notified when the Waiting List is reopened.

Applicants will be put on the Waiting List by the date and time received. In March and September, Waiting List update letters will be mailed by First Class Mail to families to verify that the applicant is still interested in occupancy at the property. They will be given fourteen (14) days to respond and to update their application information. Failure to respond to the Waiting List update letter will be cause to remove the applicant from the Waiting List.

2. Change in Priority Status While on the Waiting List

Occasionally household on the Waiting List who did not qualify for Priority when they applied will experience a change in circumstances that qualifies them for a Priority. In such cases, it will be the household's duty to contact Oaks at Park Pointe Apartments so that their change in status may be verified to reflect the Priority.

To the extent the verification determines the household does now qualify for a Priority, they will be moved up on the Waiting List in accordance with the Priority.

3. Removal of Applications from the Waiting List

Oaks at Park Pointe Apartments will not remove an applicant's name from the Waiting List unless:



- 1) the applicant requests that their name be removed,
- 2) the applicant was clearly advised, in writing, or the requirement to tell Oaks at Park Pointe Apartments continued interest in housing by a particular time and failed to do so.
- 3) Property made a reasonable effort, in writing, to contact the applicant to determine if there was continued interest in housing but has been unsuccessful, or
- 4) Property has notified the applicant, in writing, of its intention to remove the applicant's name because the applicant no longer qualifies for assisted housing, or
- 5) Applicant refused offer of unit for other than medically related reason.

8. INTERVIEWS AND VERIFICATION PROCESS

As applicants approach the top of the Waiting List, they will be contacted to schedule an application interview. The interview shall be conducted in accordance with the HUD Handbook 4350.3.

9. OBTAINING APPLICANT RELEASES

When applicants are interviewed prior to the eligibility and reference determination, all adult household members must sign the necessary releases required for gathering information needed to determine eligibility.

10. DETERMINATION OF APPLICANT ELIGIBILITY

Information needed to determine applicant eligibility shall be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD and property eligibility requirements.

11. VERIFICATION REQUIREMENTS

Oaks at Park Pointe Apartments shall obtain verifications in compliance with requirements set forth in the HUD Handbook 4350.3 as applicable. No decision to accept or reject an application shall be made until verifications keyed by the application form have been collected and any necessary follow-up Interviews have been performed. Types of verification required are:

- 1) Eligibility for Admission, such as
 - a) income, assets, and asset income
 - b) household composition
 - c) Social Security Numbers of household members
 - d) citizenship and/or legal status
 - e) birth certificate of all household members
 - f) picture ID
- 2) Eligibility requirements, such as
- 3) Marketing for the Section 42/ HOME programs will be targeted towards potential residents who have incomes that do not exceed 50% and 60% of the area median income.
- 4) Marketing for the PBRA RAD and Section 811 programs will be targeted towards potential residents who have incomes that do not exceed 30% of the area median income.
- 5) Compliance with Resident Selection Guidelines, such as
 - a) proof of ability to pay rent
 - b) previously demonstrated adherence to Lease
 - c) positive landlord and rental history
 - d) history of criminal activity of any household member
 - e) history of criminal sex offenses
- 6) PBRA RAD and Section 811 Program- verification of valid Social Security Numbers through the **Enterprise Income Verification System's (EIV) Failed Verification Report** and verification of housing assistance through the **Enterprise Income Verification System's (EIV) Existing Tenant Search**



- 6) Credit, criminal, sex-offender and landlord/eviction checks will be processed and approved by an outside third party. The application form, when signed by the applicant(s), serves as authorization for the procurement of a credit, criminal, sex-offender and landlord report. Each property office utilizes an automated screening service provided by an outside third party. Before an application can be considered for approval, the credit, criminal, sex-offender and landlord/eviction screening must be procured from the outside third party and a copy of the written report will be attached to the application. This automated service consistently and fairly evaluates each applicant in compliance with all FHA and FCRA laws. All applicants must have satisfactory history in meeting financial obligations, including rent, loans, and credit. ALCO is only interested in the previous two-year credit history. (Returning Meriwether residents are not subject to screening)

In case of co-applicants, if one meets the qualifications established in the Resident Selection criteria and if the other applicant has unsatisfactory credit, they can still qualify for the apartment. The qualified person must meet the income criteria for the rental amount. The qualified person will be designated Head of the Household.

Exceptions include:

- a) Medical collections
- b) Proof of satisfactory dispute of credit rating
- c) Student loans
- d) Applicant has proof of repayment of debt. Proof must be a statement of satisfaction from creditor, court, or other legal proof.

The credit screening will be re-evaluated to remove these items from the scoring

- 7) Special Program Requirements, such as
- a) special needs housing based on disability
- 8) PBRA RAD and Section 811 Program - Current assistance at another Multifamily Housing or Public and Indian Housing (PIH) location or through the Housing Choice Voucher program.
- a) The EIV Existing Tenant Search will be used to determine if the applicant or any applicant household members are currently being assisted at another Multifamily Housing or Public and Indian Housing (PIH) location or hold a Housing Choice Voucher.
 - b) If the applicant or a member of the applicant's household is identified as residing at another property receiving HUD assistance, they will be given the opportunity to explain any circumstances relative to their receiving assistance at the other property.
 - c) Before the applicant(s) can move-in, management will use the Verification of Section 8 (EIV Coordination of Section 8 from Property to Property) form to follow up with the respective PHA or O/A to confirm the applicant's move-out status before admission.

12. PERIOD FOR VERIFICATION

Only verified information that is less than 120 days old may be used for verification or recertification. Verified information not subject to change (such as a person's date of birth) need not be re-verified.

Forms of Verification – documentation required, as part of the verification process, may include:

- 1) Checklists completed as part of the interview process and signed by the applicant
- 2) Verification forms completed and signed by third parties
- 3) Reports of interviews
- 4) Documentation (i.e., award letters, pay stubs, bank statements, etc.)
- 5) Notes of telephone conversations with reliable sources
- 6) Facsimile, e-mail and internet
- 7) PBRA RAD and Section 811 Program-EIV System Reports



At a minimum, such reports will indicate the date and time of the conversation, source of the information, name and job title of the individual contacted, and a written summary of the information received.

Management staff will be the final judge of the credibility of any verification submitted by an applicant. If the staff considers documentation to be doubtful, it will be reviewed by Management staff that will make a ruling about its acceptability. Management staff will continue to pursue credible documentation until it is obtained or the applicant is rejected for failing to produce it.

Sources of information – Sources of information to be checked may include, but not be limited to:

- 1) the applicant by means of interviews
- 2) present and former housing providers
- 3) present and former employers
- 4) credit checks and management record services
- 5) social workers, parole officers, court records, drug treatment centers, physician, clergy, INS
- 6) law enforcement
- 7) PBRA RAD and Section 811 Program-EIV System Reports

Preferred Forms of Verification – Verifications shall be attempted in the following order:

- 1) PBRA RAD and Section 811 Program- Up-front Income Verification (UIV) using HUD's EIV System or other available state government databases
- 2) Third-party from source (Written) – provided or generated by the source (i.e. Social Security or agency printout, award letter, 4 most recent pay stubs, bank statements, pharmacy printouts, payment book stubs for medical insurance premium, etc.)
- 3) Third-party from source (Oral) - with a record kept in the files
- 4) In the absence of any of the above, Family Certification – Witnessed by Authorized Agent or Public

Each file will be documented to show that Oaks at Park Pointe Apartments staff attempted to obtain third-party written documentation before relying on some less acceptable form of information.

13. CITIZENSHIP/IMMIGRATION

Eligible non-citizens will be accepted to Oaks at Park Pointe Apartments. To be eligible an applicant or resident must:

- a. Declare citizenship immigration status;
- b. Must sign a Verification Consent form and submit documentation of their status or a signed declaration that they do not claim to have eligible status.
- c. Non-citizens 62 years or older must sign a declaration of eligible immigration status and provide proof of age document. (U.S. Citizens must sign a declaration of citizenship)
- d. A mixed family is one with one or more ineligible family members and may receive a prorated assistance, continued assistance, or a temporary deferral of termination of assistance. Continued assistance is considered on or before November 29, 1996. Mixed family assistance is considered to be on or before June 19, 1995. Assistance may be prorated if not eligible for continued assistance if additions have been made to the household.
- e. Temporary deferral of assistance is available to families who received assistance on or before June 19, 1995. This period will not exceed 18 months.
- f. Non-citizen students and non-citizen families may not receive assistance. Non-citizen students are not eligible for continuation of assistance, prorated assistance, or temporary deferral of termination of assistance. (Does not apply to spouses or children who are citizens. They are considered a mixed family.)
- g. Non-citizen student visa applicants are ineligible for assistance.
- h. Determination of citizenship or immigration status will be determined during the initial eligibility prior to move-in.
- i. If citizenship changes, the family must report this information to the site office immediately.
- j. Verification of non-citizenship/immigration status will be made by the Department of Homeland Security.



Approved forms from non-citizens under the age of 62 claiming eligibility status are:

1. Signed declaration of eligible immigration status,
2. Signed consent form,
3. Form I-551, Form I-94, or Form I-51 from the Department of Homeland Security.

14. ATTEMPTED FRAUD

Any information provided by the applicant that verification proves to be untrue may be used to disqualify the applicant for admission on the basis of attempted fraud. The Oaks at Park Pointe Apartments considers false information about the following to be grounds for rejecting an applicant.

- a. income, assets, household composition
- b. preferences and priorities
- c. previous residence history or criminal history
- d. citizenship, naturalization, and/or eligible immigration status

Unintentional errors that do not cause preferential treatment will not be used as a basis to reject applicants.

15. DETERMINATION OF APPLICATION QUALIFICATION

All applicants will be screened according to the criteria set forth in these Resident Selection Guidelines. The following guidelines, which are based on those set forth in the HUD Regulations, relate to the individual behavior of each applicant household:

- a. Past performance in meeting financial obligations, especially rent.
- b. A record of disturbance of neighbors, destruction of property, or housekeeping habits at prior residences which may adversely affect the health, safety, or welfare of other residents or cause damage to the apartment or community.
- c. Involvement in criminal activity on the part of any applicant household member which would adversely affect the health, safety, or welfare of other residents.
- d. A record of eviction from housing or termination from residential programs.
- e. Current assistance at another Multifamily Housing or Public and Indian housing (PIH) location or hold a Housing Choice Voucher.
- f. An applicant's ability and willingness to comply with the terms of the Property's Lease and community's policies.
- g. An applicant's misrepresentation of any information related to eligibility, allowances, household composition, or rent.

16. THE VIOLENCE AGAINST WOMEN AND JUSTICE DEPARTMENT REAUTHORIZATION ACT OF 2013

Otherwise qualified applicants, residents, and family members of residents who are victims of domestic violence, dating violence, or stalking are protected from being denied housing assistance if an incident of violence is reported and confirmed. An applicant's status as a victim of domestic violence, dating violence, or stalking is not a basis for denial of rental assistance or for denial of admission. If you are a victim of domestic violence, certification will be required of victim status which includes victim status and the names of the abusers.

17. HOW APPLICANT'S HISTORY WILL BE CHECKED

Listed below are the methods by which every applicant's performance, relative to each of the five criteria, will be checked (Returning Meriwether residents are not subject to rescreening):

- a. Past performance meeting financial obligations, especially rent:
 - 1) Credit screening through a third-party company.
 - 2) An outside third party will be used to gather previous rental history information. Positive rental history for the past 12 months will be considered if there are no findings on the third party report.



- 3) If verified records of timely rental payments are received from management(s), no further documentation of past performance in meeting financial obligations, especially rent, need to be collected. No findings on the third party report will be considered positive rental history.
- 4) Lack of rental history is considered good rental history.

Otherwise eligible households who apply for housing with outstanding balances owed to any Apartment Community must pay any balance owed to be placed on the Waiting List. Failure to pay will result in the application being rejected.

- b. Involvement in criminal activity on the part of any applicant household member which would adversely affect the health, safety, or welfare of other residents.
- c. Criminal history checks of convictions and outstanding warrants with local, state and possibly federal authorities.
- d. A record of eviction from housing or termination from residential programs will be considered.
 - a. Community Manager will check Oaks at Park Pointe Apartments records, management records, and other records to determine whether the applicants have been evicted from Oaks at Park Pointe Apartments, or any other assisted housing, or any other property in the past.
 - b. Records of evictions from residential programs will be checked through the outside third party service and with any housing providers referred by the applicant.
 - c. Circumstances of any past eviction or termination in determining its relevance to Oaks at Park Pointe Apartment tenancy.
- e. Ability and willingness to comply with the terms of the Lease & Community Policies:
 - 1) If an applicant is able to document that he/she is complying with Lease terms and Community Policies in current and former residences, through a combination of management references and the home visit, if applicable, this criterion will be considered to have been satisfied.
- f. An applicant's misrepresentation of any information related to eligibility, award of priority for admission, allowances, household composition, or rent.
 - 1) If, during the course of processing an application, it becomes evident that an applicant has falsified or otherwise misrepresented any facts about his/her current situation, criminal history, or behavior in a manner that would affect eligibility, Federal preferences, priorities, application selection criteria qualification, allowances, or rent, the application shall be rejected.

18. REVIEW OF RECOMMENDATIONS FOR ADMISSION OR REJECTION

- a. Rejected applicants may request an additional interview to determine whether mitigating circumstances would make it possible to accept his/her application.
- b. If an applicant is clearly eligible and passes the screening guidelines, admission shall be authorized. Likewise, if the applicant is ineligible, rejection shall be authorized.
- c. Management will follow the grievance process below in compliance with requirements set forth in the HUD Handbook 4350.3.

19. GRIEVANCE PROCEDURE

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.



20. REJECTION OF INELIGIBLE OR UNQUALIFIED APPLICANTS

The Oaks at Park Pointe Apartments complies with applicant rejection requirements set forth in the HUD Handbook 4350.3. 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:

- a. **Misrepresentation:** Willful or serious misrepresentation in the application procedure for the apartment or certification process for any government assisted dwelling unit.
- b. **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 sound family and community life.
- c. **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.
- d. **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.
- e. **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 contributing causes for nonpayment of rent or damages have changed sufficiently to enable the family to pay rent and other charges when due.
- f. **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.
- g. **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; 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.
- h. **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.
- i. **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:
 - 1) Any conviction of a felony or incarceration of any felony conviction within the past 7 years.
 - 2) Any felony conviction or adjudication other than acquittal for the sale, distribution or manufacture of any controlled or illegal substance within the past 7 years.
- i. **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:
 - 1) Any misdemeanor conviction or adjudication other than acquittal for the sale, distribution or manufacture of any controlled or illegal substance within the past 2 years.
 - 2) Any felony conviction or adjudication other than acquittal involving illegal use or possession of any



controlled or illegal substance within the past 7 years.

- 3) Any misdemeanor conviction or adjudication other than acquittal involving illegal use or possession of any controlled or illegal substance within the past 2 years.
 - 4) Any current illegal user or addict of a controlled or illegal substance.
 - 5) 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.
 - 6) Any conviction or adjudication other than acquittal or state sex offender registry requirement, for any sexual offense. There is an exception to rejection of the application. Households that wish to live here and receive federal HUD assistance have the opportunity to remove the household member whose name appears on a state sex offender registry from the application.
 - 7) Any conviction or adjudication other than acquittal, which involved bodily harm to a child.
 - 8) 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.
 - 9) Management reserves the right to require criminal background checks at any time during residency if in receipt of credible and verifiable information.
 - 10) Antisocial Conviction: If a determination is made that the applicant or any household member demonstrates a pattern of alcohol, domestic offense or assault, and/or drug incidents, the application will be rejected. A pattern is 3 or more incidents.
- g. **Income Qualifications:** Oaks at Park Pointe Apartments qualifies applicants under the current published income limits as established for the Section 42, Section 811, HOME and PBRA RAD programs.

21. ACCEPTANCE AND MOVE-IN OF ELIGIBLE AND QUALIFIED APPLICANTS

- a. The security deposit amount for the PBRA RAD and Section 811 residents is equal to one month's Total Tenant Payment (TTP) or \$50, whichever is greater. The security deposit amount for all other units is set based on the current housing market.
- b. Verification of all income and assets may affect eligibility. All verifications will be processed through a third party.
- c. PBRA RAD and Section 811 Program- Verification of existing subsidy. **Management must be notified of all applicants currently receiving HUD Housing Assistance.** Management will verify through the **Enterprise Income Verification System (EIV) Existing Tenant Search** whether or not the applicant is currently receiving housing assistance. Since HUD does not allow a person to receive subsidy at two apartment communities at the same time, applicants with existing subsidy must coordinate their move out with their current landlord. Applicants who fail to relinquish the keys to their current landlord prior to move in will be responsible for the market rent on the unit until the day in which their subsidy begins. Applicants with a Housing Choice Voucher must give up the voucher prior to move in. Applicants who fail to give up their voucher will be responsible for the market rent on the unit until the day in which their subsidy begins.

22. OFFERING AN APARTMENT

When an apartment becomes available for occupancy, it will be offered to the applicant at the top of the Waiting List for that apartment type. If the applicant cannot be contacted within five (5) working days, the offer will be cancelled and the apartment will be offered to the next applicant on the Waiting List.

In that event, the first applicant will be sent a letter requesting confirmation of its interest in remaining on the Waiting List. If the applicant replies affirmatively, its application will retain its position on the Waiting List. If the reply is negative, or if no reply is received within five (5) working days, the application will be withdrawn.

If an applicant rejects an offer twice, the applicant is removed from the Waiting List.



23. PRIOR TO MOVE-IN

- a. Management will explain the regulations regarding the following:
 - 1) security deposits
 - 2) annual recertifications
 - 3) unit inspections
 - 4) community policies
 - 5) transfer policy
 - 6) utility policy
- b. All adult members, age 18 and older, of the household will sign the Lease, Violence Against Women and Justice Department Reauthorization Act of 2013 (VAWA Addendum), Supplemental and Optional Contact Information (Form HUD-92006), Community Rules and other related documents.
- c. The applicant and management will inspect the apartment and sign the Move-In Inspection form.
- d. The applicant will pay the Security Deposit prior to move-in.
- e. The applicant will pay the rent for the first month, as set forth in the Lease.
- f. The applicant will be given a copy of the Lease, Disclosure of Information on Lead-Based Paint, House Rules, Pest Control Guidelines and other related documents.

24. TRANSFER POLICY

- a. The following reasons for transfer will be reviewed and may be granted:
 - 1) Because of a Reasonable Accommodation due to a disability of a household member, a household may require an apartment that is larger than the apartment size provided in the property's Occupancy Guidelines.
 - 2) A change in the household size requiring an increase or decrease in the apartment size to accommodate the new household size.
- b. Residents requesting transfers for the above reasons will be placed on the Waiting List as a Transfer On Site (TOS) based on apartment size requested.
- c. Residents with a disability(ies) will be given priority for an apartment with accessible features.
- d. Transfers should occur after the completion of the initial lease term (except if based on accessibility needs), and are limited to two days, one to move out of the current apartment, and one to move into the new apartment.
- e. Household must meet the current resident screening criteria, rent to income ratio for the new apartment rent and income eligibility requirements; which must not exceed 60% of the income limit.
- f. When a household transfers to a new apartment, a new security will be required for the new apartment and the security deposit on the original apartment will be refunded after the move out inspection is completed and applicable charges have been applied.

NOTE: Current households, in good standing, who meet the qualifications listed in the Transfer Policy for transfer to a different unit, shall be given priority over applicants.

A current resident who wishes to establish a separate household in a new unit must complete an application and will be placed on the Wait List according to the date and time of the completed application. This is not considered a transfer; therefore the above mentioned priority does not apply.

25. AT MOVE-IN

Keys to the apartment will be issued to the household once proof of utility service in the tenant's name has been provided to the office. After move-in, periodic inspections will be completed as well as annual certifications.

26. FAILURE TO MOVE-IN ON TIME

If a household fails to move in on the agreed date, the application will be declined and the apartment will be offered to the next qualified household on the Waiting List.



27. APARTMENT INSPECTIONS

All apartments must undergo a move-in and move-out inspection by the on-site management team. These inspections include not only interior but also exterior inspections. There will be an annual inspection. From time to time, apartment inspections will also be conducted by Georgia Department of Community Affairs (DCA) and by HUD and/or the Contract Administrator.

28. ANNUAL RECERTIFICATIONS/INTERIM RECERTIFICATIONS (PBRA RAD and Section 811 and EIV)

- a. PBRA RAD, Section 811, Section 42 Tax Credit and HOME regulations require an annual recertification of income and assets for rent determination. This policy will be discussed during the initial certification process.
- b. HUD regulations require verification of income and expenses for rent determination.
 - a. For New Admissions - An EIV Income Report will be pulled within ninety (90) days of the TRACS transmission date for a MI/IC certification or a certification where a new household member was added. The EIV Income report will be reviewed to confirm and validate the income reported by the new resident(s). Any discrepancies found in the reported income of the resident household will be resolved within 30 days of the EIV Income Report date. A copy of the EIV Income Report will be kept with the applicable move-in income verifications.
 - b. For Annual and Interim Certifications – An EIV Income Report will be pulled to verify whether or not a change in income or employment has taken place since the resident’s last certification and may serve as third party documentation. If the EIV employment and income information is not sufficient or the resident disputes the employment and income information, independent third party verification will be obtained from the source. Any discrepancies found in the reported income of the resident household will be resolved within 30 days of the EIV Income Report date. A copy of the EIV Income Report will be kept with the applicable income verifications.

29. UTILITY

All utilities, paid by the resident, must be in the resident’s name before move in. Utilities must be maintained throughout the term of the lease.

I have been given the opportunity to ask any questions that pertain to the Resident Selection Guidelines. I/we by signing below certify that we have read and received a copy of these guidelines.

Applicant's Signature	Date
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Applicant's Signature	Date
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IT IS THE POLICY OF THIS COMPANY TO PROVIDE HOUSING ON EQUAL OPPORTUNITY BASIS. WE DO NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, RELIGION, SEX, DISABILITY, FAMILIAL STATUS, AND NATIONAL ORIGIN AND REGARDLESS OF SEXUAL ORIENTATION, GENDER IDENTITY OR MARITAL STATUS OF APPLICANTS AND RESIDENTS.

We do not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.



The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulation implementing Section 504 (24 CFR, part 8 dated June 2, 1988).

Michael Williams
35 Union Avenue
Memphis, TN 38103
901-544-1738 (voice)
901-544-1751 (TTY)

