

Community Housing Tenant Selection Plan



Community Housing by Pacific Retirement Services' facilities comply with Federal, State, and Local Fair Housing regulations, housing persons without regard to race, color, national origin, religion, gender, familial status, or disability. We do not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, Federal, State or Local assisted programs and activities.

Low income subsidies are provided by the U.S. Department of Housing and Urban Development (HUD). Project Rental Assistance Contracts (PRACs) are intended to house very low income families.

The guidelines stated below are to determine who can be admitted to reside at the facility (final approval will be subject to all verified material):

I. Information

All of the required information in an Application Packet (Application, Supplement to Application, Credit Check Form, Race and Ethnicity Form, Household Disability Status Reporting Form) should be included and signed as applicable by the applicant. The Credit Check is not ran until an apartment is being offered, but it must be signed and with the application materials.

If information is revealed on the application that would not meet our Applicant Screening Criteria referenced below, the application will be rejected. It is not necessary to proceed with any information below (i.e. landlord or personal references, credit or criminal background screening) if information provided on or with the application shows the applicant would not qualify based on Applicant Screening Criteria.

II. Pre-Screening/Project Eligibility Requirements

All of the following requirements are necessary before an applicant can be added to the wait list.

A. Project Specific Requirements

The head of household, co-head or spouse must be sixty-two (62) years of age or older. At Donald E. Lewis Retirement Center and Ross Knotts Retirement Center, residents may be under sixty-two (62) years of age if they are in need of a mobility accessible apartment.

B. Citizenship Requirements

At Donald E. Lewis Retirement Center, Ross Knotts Retirement Center and Royal Loto Apartments, HUD restricts assistance to non-citizens with ineligible immigration status and requires all applicants and household members to complete citizenship declaration forms and submit evidence of citizenship or eligible immigration status at the time of application.

C. Social Security Number Requirements

All household members, age six and older, must disclose and document Social Security numbers (SSN). Those who have not been assigned a Social Security number must sign a certification stating that no SSN has been assigned. Documentation of the SSN must be provided once an SSN has been assigned. The effective date of the Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs, Final Rule, is under review. Once the Final Rule is in effect, applicants will be required to disclose and provide verification of the SSN for **ALL** members of their household before they can be admitted.

D. Student Eligibility Requirements

Any student who is enrolled at an institution of higher education who is under the age of 24, is not a veteran, unmarried, and does not have any children, and is individually ineligible for Section 8 assistance, or the student's parents are individually or jointly, ineligible for assistance, no Section 8 assistance can be provided to the student. Unless the student is determined independent (by PHAs)

from his or her parents, the eligibility of a student seeking Section 8 assistance will be based on both the student and the parents being determined income eligible for Section 8 assistance OR whether the student's parents, individually or jointly, are income eligible for Section 8 assistance. Both the student's income and the parents' income must be separately assessed for income eligibility. Additionally, the financial assistance of the student in excess of tuition will be included in annual income when determining the student's eligibility for Section 8 assistance, unless the student is over the age of 23 with dependant children.

E. Income Limit Requirements

A resident must meet the income guidelines for the county in which the facility is located as set forth by HUD. Income limits are updated by HUD annually.

III. Applicant Screening Criteria

All of the following requirements are necessary before an applicant is offered an apartment.

A. Landlord References

Two positive landlord references are required. If landlord references are unavailable, two positive personal references will be accepted. In the event just one landlord reference is available, then a personal reference will also be required.

A positive landlord reference requires that rent was paid in a timely manner and all balances paid in full. Also, requires that tenant complied with facility policies and lease agreement; including leaving the property in an acceptable condition.

NOTE: See Section V – “Other Community Housing Policies” – for exception guidelines regarding victims of domestic violence or stalking.

B. Credit / Eviction History

Credit history that shows no collection or outstanding balance due for rental or housing related activity such as utility payments, property management companies, or eviction;

Any Real Estate Loans that were included in a bankruptcy where restitutions were required may not be viewed as housing related, as long as the restitution payments are current. Foreclosures may not be viewed as housing related discrepancies. Whether bankruptcy or foreclosure, statements are required of verification.

C. Information / Criminal Screening

Information/Criminal screening that does NOT reveal the following:

1. Drug Related Criminal Activity

- a. Felony or misdemeanor history related to any household member's eviction from federally-assisted housing for drug-related activity in the past three (3) years.

There are two exceptions to this provision:

- o The evicted household has successfully completed an approved, supervised drug rehabilitation program; or
 - o The circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household).
- b. Any household member currently engaging in illegal drug use, or for which the owner has a reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and the right to peaceful enjoyment of the property by other residents, employees, guests, contractors, subcontractors or agents of the owner.

2. Violent Criminal Activity

Any household member is currently engaging in or has engaged in violent criminal activity or other criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the

property by other residents, employees, guests, contractors, subcontractors or agents of the owner.

3. Other Criminal Activity

- a. Felony history relating to other criminal activity that threatens the health, safety, and right to peaceful enjoyment of the property by other residents, employees, guests, contractors, subcontractors, or agents of the owner.
- b. Misdemeanor history in which the criminal activity threatens the health, safety, and right to peaceful enjoyment of the property by other residents, employees, guests, contractors, subcontractors, or agents of the owner.
- c. Any household member being subject to a lifetime sex offender registration program.
- d. Any household member if there is reasonable cause to believe that the member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents, employees, guests, contractors, subcontractors, or agents of the owner. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.

D. Other Allowable Screening Criteria

1. All household members must be able to live according to and abide by the terms of their lease agreement.
2. All household members must conduct themselves in a manner which does not constitute a direct threat to the health and safety of self, other residents, employees, guests, contractors, subcontractors, or agents of the owner.
3. All household members must conduct themselves in a manner which does not cause any substantial property damage to the property of other residents, employees, guests, contractors, subcontractors, or agents of the owner.

In the event that an applicant is rejected, the applicant will receive written notification. The applicant shall have fourteen (14) days from the date of the letter to respond in writing or to request a meeting to discuss the rejection. Responses may be directed to Housing Director, Pacific Retirement Services, 1200 Mira Mar Ave., Medford, OR 97504. When an applicant is rejected, more detailed information concerning appeal rights will be furnished at the time of rejection.

IV. Procedures for Accepting Applications and Selecting From the Wait List

A. Procedures for Accepting Applications

An applicant must submit a completed Application. Each site maintains a wait list for residency. Once received, an application will be evaluated; any application meeting the requirements as stated in the "Pre-Screening/Project Eligibility Requirements" will be placed on the wait list. Any application not meeting these requirements will be rejected and will not be placed on the wait list. In the event that an applicant is rejected, the applicant will receive written notification.

The applicant shall have fourteen (14) days from the date of the letter to respond in writing or to request a meeting to discuss the rejection. Responses may be directed to Housing Director, Pacific Retirement Services, 1200 Mira Mar Ave., Medford, OR 97504. When an applicant is rejected, more detailed information concerning appeal rights will be furnished at the time of rejection.

Placement on the wait list is determined by the date on which all application materials are received at the office; however, acceptance to the wait list does not automatically guarantee eligibility for an apartment. Further screening as described in the applicant screening criteria section will be completed at the time an apartment is offered. Apartments are rented to eligible persons in the order of receipt.

B. Wait List Procedures

An offer of an apartment will be made by telephone or email. A person offered an apartment has 48 hours from the time the phone call or email was initiated, to notify the office of their intention to accept or reject the offered apartment. If no response is received within the allowed 48 hours, the offer will be considered rejected by the applicant. Any deviation from this time frame must be approved in writing by the Housing Director.

Any eligible person who is offered an apartment and refuses (does not accept) a third time, for any reason including medical reasons, will be removed from the wait list. The individual may reapply at any time. However, their position on the wait list will be determined by the date their most recent application is submitted.

NOTE: If an applicant has written or included a preference (first floor, second floor, west side of building, #101, etc.) for an apartment, it is no longer Community Housing's practice to acknowledge these preferences. Every applicant is offered an available apartment based on availability not preferences. If the applicant refuses (does not accept) the apartment, it will be considered one of the three refusals an applicant is allowed, before having to reapply. If an applicant has a medically necessary reason for a preferred floor it must be accompanied by a Reasonable Accommodation Request, and if the request is approved, it would not be considered a refusal.

The applicant is responsible for informing each facility they applied to, of any changes to their contact information (address, phone numbers, email address, etc.). An applicant will be removed from the wait list if mail is returned due to incorrect mailing information or if a number is disconnected or incorrect.

At any time there are changes to the Tenant Selection Plan (TSP) all applicants on wait list will receive a copy of the updated TSP.

Note: Privacy laws require release of information to applicants only.

C. Procedures for Applying Preferences

HUD requires that no less than 40% of the admissions to any project assisted through the project based Section 8 program in any fiscal year must be extremely low income households. Income targeting will be analyzed quarterly to ensure the 40% target is met. In keeping with HUD's Income Targeting Policies, applicants at Donald E. Lewis Retirement Center Ross Knotts Retirement Center or Royal Loto Apartments whose incomes are below the Extremely Low Income limit (30% of the area median income) may receive preference over another applicant in a higher position on the wait list when an apartment becomes available.

To implement this preference, the first extremely low income applicant on the wait list (which may mean "skipping over" some applicants with higher incomes) for the available apartment, and then select the next eligible applicant currently at the top of the wait list regardless of income level for the next available apartment. As subsequent apartments become available, tenant selection continues to alternate between the next extremely low income applicant and the eligible applicant at the top of the wait list until the 40% target is reached.

HUD regulations require that preference is given to applicants of Royal Loto Apartments who have been displaced by government action or a presidentially declared disaster.

D. Occupancy Standards

Residents will be required to meet the following State and HUD standards for occupancy (information must be verified):

**OCCUPANCY STANDARDS
FEDERALLY SUBSIDIZED PROGRAMS (SECTION 8, 236, BMIR, PHA)**

	Household Members	
	<u>Min</u>	<u>Max</u>
1 bedroom	1	2
2 bedroom	2	4
3 bedroom	3	6
4 bedroom	4	8

Household members include:

- Ø All full-time members of the household
- Ø Children who are away at school but live with the family during school recesses
- Ø Children who are subject to a joint custody agreement but live in apartment at least 50% of the time
- Ø An unborn child
- Ø Foster children
- Ø Live-in attendants

E. Policy for Opening/Closing the Wait List

It is not our policy to close the wait list for the property.

V. Other Community Housing Policies

A. Move-in Policies

Once an apartment is offered to an applicant and is accepted, the move in date must occur within 45 calendar days.

B. Unit Transfer Policies

Residents have the option to transfer between apartments for medically necessary reasons. Also, at move-in, management may offer prospective residents/applicants the option of moving to a more desirable apartment at a later date should one become available to aid in reducing vacancy loss in difficult to rent apartments, due to size (studio apartments), location (next to the elevator for example), limited view and/or light. A written request for transfer to a more desirable apartment would be made to management, during the move in process.

Transfer requests will be placed on an in-house wait list, in the order of the date they are received. In-house transfers have priority in regard to apartment availability.

A transfer request for medically necessary reasons must be accompanied by a note from the Resident’s physician or care provider stating the need for the transfer based on a medical condition or disability.

For a transfer requested as a “Reasonable” Accommodation to a household member’s disability, the owner may be responsible for the moving expenses. The expenses are those incurred in moving the household member’s personal belongings, unless doing so would be an undue financial and administrative burden.

C. Fair Housing

The Fair Housing Act Amendment of 1988 prohibits discrimination on the basis of race, color, religion, gender, national origin, disability or familial status. 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. Sexual Harassment is a form of discrimination according to the Fair Housing Act. **If you**

feel you have been discriminated against because of race, color, religion, national origin, familial status, sex or disability, or any other protected class per federal, state, or local regulations, please contact the Housing Director or VP of Housing at 1-800-714-9177 or TDD 1-800-735-2900 or dial 711.

D. Policies to comply with Section 504 of the Rehabilitation Act of 1973 & Fair Housing Act Amendments of 1988.

Section 504 prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance.

A Reasonable Accommodation as defined by the Fair Housing Act is any accommodation by management in rules, policies (including acceptance of assistance animals as an exception to a "no pets" rule), and practices of services to give a person with a disability an equal opportunity to use and enjoy a dwelling unit or common space. It is your responsibility to inform management of any situation where a Reasonable Accommodation is needed.

Reasonable Accommodations should be submitted in writing. If unable to provide the request in writing, please notify management. Reasonable structural modifications to an apartment and/or common areas that are needed by applicants and tenants with disabilities may be approved and funded by the project, unless these modifications would change the fundamental nature of the project or result in undue financial and administrative burdens.

If you feel that you have been discriminated against because of disability, call Dena Smith, 504 Coordinator, at 1-800-714-9177 or TDD 1-800-735-2900 or dial 711.

E. Security Deposit Requirements

HUD requires collection of a security deposit at the time of the initial lease execution. The amount of the required deposit is equal to the Total Tenant Payment, on the HUD 50059 form, or \$50, whichever is greater.

F. Financial Information

Upon applying for residency at Community Housing facilities, the applicant must provide all financial information required by HUD (a list of financial information requirements will be provided) during a certification interview prior to being accepted for residency.

G. Existing Tenant Search

After applicants have signed a Consent of Release of Information, an Existing Tenant Search is printed from the Enterprise Income Verification System from the HUD Website. This report shows whether an applicant is currently living at another HUD site (multi-family or Public Housing) so sites can coordinate move-outs and move-in dates.

H. Violence Against Women Act

The VAWA protections apply to families applying for or receiving rental assistance payments under the project-based Section 8 program. The law protects victims of domestic violence, dating violence or stalking, as well as their immediate family members generally, from being evicted or being denied housing assistance if an incident of violence that is reported and confirmed. The VAWA also provides that an incident of actual or threatened domestic violence, dating violence or stalking does not qualify as a serious or repeated violation of the lease nor does it constitute good cause for terminating the assistance, tenancy, or occupancy rights of the victim. Furthermore, criminal activity directly relating to domestic violence, dating violence or stalking is not grounds for terminating the victim's tenancy. Owners/Agents may bifurcate a lease in order to evict, remove, or terminate the assistance of the offender while allowing the victim, who is a tenant or lawful occupant, to remain in the unit.

VAWA Protections

1. The Landlord may not consider incidents of domestic violence, dating violence 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.
2. 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.
3. 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 or Stalking, Form HUD-91066, 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 the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.