

# **Underwood Family Apartments**

COMMUNITY NAME

**100-110 Laurel Avenue Hartford, CT. 06106**

ADDRESS

**(860) 951-2267 (800) 842-9710 (860) 951-5015**

PHONE

TTY

FAX

## **RESIDENT SELECTION CRITERIA**

### **SECTION 8**

#### **FAMILY**

**(Revised 03/30/2018)**

#### **I. NON-DISCRIMINATION**

- A. **Underwood Family Apartments** is an Equal Housing Opportunity Community. As such, this Community adheres to all federal Fair Housing and Civil Rights laws, all state and local regulations concerning non-discrimination in housing and with all equal opportunity requirements in HUD administrative procedures.
- B. **Underwood Family Apartments** also adheres to the Fair Housing Act of 1968 concerning non-discrimination in housing.
- C. **Underwood Family Apartments** also adheres to Section 504 of the Rehabilitation Act of 1973 concerning non-discrimination in housing.
- D. **Underwood Family Apartments** does not discriminate based on race, color, creed, religion, sex, sexual orientation, national origin, ancestry, age, handicap or disability of any person, familial status, the use of a guide or support animal because of the physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is known to have a relationship or association.

#### **II. LIMITED ENGLISH PROFICIENCY (LEP)**

It is the policy of **Underwood Family Apartments** to provide persons with Limited English Proficiency (LEP) resources in order that they might be afforded equal access to all housing and housing related services, Management will take reasonable steps to ensure meaningful access to the information and services they provide for applicants with Limited English Proficiency. LEP Applicants will be provided with written and/or verbal application-related information in their language upon request. Management will also take reasonable steps to ensure meaningful access to those that are Sensory Impaired (SI). This may require Management to assist persons with Limited English Proficiency in the application process, including conducting the interview and completing the application.

Management will identify customers who do not speak English as their primary language and have limited ability to read, speak, write or understand English (LEP) or blind, visually impaired or deaf/blind).

After determining how to communicate with the customer, Management will secure the appropriate language



assistance resource needed to communicate with the LEP/SI customer.

### III. VIOLENCE AGAINST WOMEN ACT

#### Definitions

The following definitions are provided as assistance in understanding the VAWA protections.

**Domestic Violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Dating Violence** means violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim, and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

**Stalking** means (A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and (B) in the course of, or as a results of, such a following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.

**Immediate Family Member** means, with respect to a person: (a) spouse, parent, brother or sister or child of the person, or an individual to whom that person stands in loco parentis (in place of a parent); or (B) any other person living in the household of that person and related to that person by blood or marriage.

#### Protections for Victims of Domestic, Dating, and/or Stalking Violence

Under the Violence against Women Act (VAWA) protections apply to families applying for or receiving rental assistance payments under the project-based Section 8 program. This law protects victims of domestic, dating, and/or stalking violence, as well their immediate family members from being denied housing assistance.

Confirmation of domestic, dating, and/or stalking violence alone will not make a household eligible for admission, if the household would not otherwise be eligible under the program and/or management guidelines outlined within this Resident Selection Criteria. Includes, but not limited to unrelated VAWA criminal activity.

Management must confirm that domestic, dating, and/or stalking violence exist before an applicant household is afforded protections under the VAWA, and prior to approving, an applicant household for occupancy in the event rental history, criminal reports, and/or other sources identify the household as a potential risk to the community.

In accordance with HUD guidelines (HUD Notice H 08-07) Owner/Agents must provide denial applicant households with the option of completing "Certification of Domestic Violence, Dating Violence or Stalking Violence", and/or provide alternative documentation.

The following protections are offered under the VAWA to applicants and their immediate family members:



- A. An applicant's status as a victim of domestic, dating, and/or stalking violence is not a basis for denial of admission or rental assistance, if the applicant otherwise qualifies.
- B. An incident or incidents of actual or threatened domestic, dating, and/or stalking violence will not be construed as serious or repeated violations in determining admission.
- C. Criminal Activity directly related to domestic, dating, and/or stalking violence engaged in by a member of a household shall not be cause for denial of assistance.

However the offending household member committing the abuse must be removed from the application before further consideration for admission. This is whether or not the individual committing the offence is signatory to the application. This action is to be taken while allowing the victim(s) to remain lawful active applicants.

- D. When notified of domestic, dating, and/or stalking violence engaged in by a member of the household, Management is not limited from honoring various court orders issued to either protect the victim or address the distribution of ownership of the application in case the family breaks up.
- E. Applicants reporting a status of domestic, dating, and/or stalking violence will not be subject to more demanding standards than other applicants applying for admission.
- F. The VAWA protection shall not supersede any provision of any federal, state, or local law that provides greater protection from victims of domestic, dating, and/or stalking violence.

#### IV. OCCUPANCY STANDARDS

All full-time members of the household as listed on the application will be counted to determine the number of bedrooms needed by a household. Underwood Family Apartments is comprised of one and two bedroom apartments.

Number of Bedrooms	Minimum Number of Occupants	Maximum number of Occupants
3	3	6
4	4	8

#### V. APPLICATION PROCESSING

- A. **Application Acceptance** – Individuals interested in applying for housing may obtain an application form from the main office. Applications may also be mailed or faxed to interested persons. No application fees or credit/criminal/eviction background check fees are required.

The cover page of the application form explains the requirements for the application to be accepted for processing. These requirements include an a completed rental Application signed by all future household members age 18 or older, copies of birth certificates and social security cards for all household members, and, if applicable, copies of Alien Registration Cards (front and back) for all non-citizens in the household.

In lieu of birth certificates, baptismal certificates, military discharge papers, valid passports, naturalization certificates, or Social Security Administration benefit printouts may be considered acceptable verifications of age.

In lieu of Social Security cards, the following items displaying Social Security numbers may also be considered acceptable verifications: driver's licenses; identification cards issued by federal, state or local agencies, medical insurance providers, or an employer or trade union; earnings statements on formally printed payroll stubs; bank

statements; 1099 Forms; Social Security Administration Benefits award letters; retirement benefits letters; life insurance policies; or court records.



Any incomplete application will be returned to the applicant with a cover letter stating the reason for the return.

Completed applications will be date and time stamped when they are received and will then be reviewed for program eligibility.

**B. Application Eligibility** – An application will be considered eligible and will continue to be processed if the following requirements are met:

- The waiting list is open
- The applicant household's gross annual income is less than equal to the income limit for its household size [The income limits used by the agent for admission are published by the Department of Housing and Urban Development (HUD) on an annual basis. In no case will an applicant household be admitted to a Low Income Housing unit if the applicant household's income exceeds the specified income limit.]
- The applicant household is not comprised entirely of full-time students
- The unit will be the applicant household's only residence
- The unit to which the applicant household has applied is sufficient to accommodate the size of the of the applicant household
- The applicant household does not have pets that are not permitted in the community. The exception being animals that are medically necessary and the appropriate paperwork must be completed prior to the pet residing in the unit with the applicant
- The applicant household has disclosed Social Security numbers for all applicant household members and has provided proof of the numbers reported
- The applicant household has reported all addresses at which it has resided in the last \_\_\_\_ years
- The applicant household or any of its members has not previously refused an apartment on two occasions at the community for reasons other than the apartment's lack of accessibility
- For a resident household wishing to transfer to another apartment, the household requires an accessible unit or a reasonable accommodation for a disability that cannot be made in the household's existing apartment
- For a resident household wishing to transfer to another apartment, the household's tenancy is in good standing

If the preceding requirements are not satisfied, the application will be determined ineligible, and a letter noting the reason for the ineligibility will be sent to the applicant. The letter will include information on the appeal procedure (see Section IV.D).

If the preceding requirements are met and no units are available, the application will be placed on the waiting list for the unit type for which the household qualifies based on the date and time the completed application was received. A letter acknowledging receipt of the application and its placement on the waiting list(s) will be sent to the applicant.

If the preceding requirements are met and a unit is available, the agent will continue the application process by applying screening criteria.

The agent reserves the right to determine an application ineligible *at any time during the application process* prior to lease signing for reasons contained within this Tenant Selection Plan.

**C. Project Eligibility** – The applicant household must be a **family**, which is defined as:

- i. A family with or without children (children temporary absence from the home due to placement in foster care shall be considered in determining family composition and family size);
- ii. An elderly family;
- iii. A disabled family
- iv. A family which meets the statutory preference of a displaced family by government action or presidentially declared disaster;



- v. The remaining member of a tenant family; and
- vi. A single person who is not an elderly or displaced person or a person with disabilities, or the remaining member of a tenant family.

**D. Program Eligibility** – In order for the applicant household to be eligible to receive assistance under the program(s) specific to his property, the following criteria must be met.

U.S Citizens and Eligible Non-Citizens who meet all eligibility requirements for admission will be provided full assistance under the 214 Non-Citizens Rule guidelines.

All applicants must submit a signed declaration of the U.S citizenship or U.S nationality in order to receive assistance. It is further required that evidence of such declaration be provided. Adequate evidence will consist of a U.S. passport, U.S Birth certificate, Employment Authorization card, Temporary Resident card, or other appropriate documentation, as provided by Section 214.

Noncitizens (except those ages 62 and older) must sign a verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Noncitizens age 62 and older must sign a declaration of eligible immigration status and provide a proof of age document.

**i. Citizenship Status**

1. All applicants must go through the Section 214 Review of the Housing and Community Development Act of 1980, as amended, to determine if any of the restrictions on assistance to noncitizens apply to their household. Management will not deny assistance to applicants who have submitted their immigration documentation in a timely manner, but for whom the DHS verification process has not been completed.
2. If a unit is available, the family has come to the top of the waiting list, and at least one member of the family has submitted the required documentation in a timely manner (within 30 days of request), management must offer the family a unit, providing subsidy to those family members whose documents were received on time.
3. However, until management has received and verified the immigration status of any remaining noncitizen family members, management must provide prorated assistance to the family.
4. If no members are able to provide verifiable documentation of citizenship, then occupancy will be denied until such time as the required documentation is provided.
5. If the applicant household has applied to the DHS for an informal hearing or an appeal with regard to verification of their citizenship status, management may not delay or reduce assistance to the applicant household. The applicant household will be processed for move-ins as usual. However, if after move-in, the DHS notifies management that the applicant household or any member of the applicant household is an ineligible noncitizen, assistance will immediately be terminated or prorated. (The DHS is required to notify the applicant household and management within 30 days of the hearing or appeal.)
6. A family with one or more ineligible family members and one or more eligible family members may receive prorated assistance, continued assistance, or a temporary deferral of termination of assistance. The initial deferral period is for six months and may be extended for an additional six-month period, not to exceed 18 months.
7. A list of acceptable DHS documentation will be provided to the applicant household at the time that they apply.
8. Noncitizen students and their noncitizen families may not receive assistance. Noncitizen students

are not eligible for continuation of assistance, prorated assistance, or temporary deferral of termination of assistance.

9. A noncitizen student is defined as an individual who is as follows:
  - a. A resident of another country to which the individual intends to return;
  - b. A bona fide student pursuing a course of study in the United States; and
  - c. A person admitted to the United States solely for the purpose of pursuing a course of study as indicated on an F-1 or M-1 student visa.
10. This prohibition applies to the noncitizen student's noncitizen spouse and children. However, spouses and children who are citizens may receive assistance. For example, a family that includes a noncitizen student married to a U.S. citizen is a mixed family.

## ii. Social Security Number(s) Requirement

1. Applicants are not required to disclose or provide verification of social security numbers at the time of application or for placement on the waiting list. However, applicants who meet all eligibility admission requirements are required to disclose and provide verification of a valid accurate social security number for all non-exempt household members before being housed.

Effective January 31, 2010, Owner/Agents are mandated to obtain valid and accurate Social Security Numbers for all non-exempt applicant household members regardless of age.

2. Disclosure of social security numbers do not apply to individuals who do not contend eligible immigration status. Nor is the disclosure of social security numbers required for determining program eligible immigration status under HUD's noncitizen regulations.
3. Applicants who have not disclosed and/or provided verification of a valid and accurate social security number for all non-exempt household members at the time a unit becomes available will retain their place on the waiting list for 90 days from the date they are offered a unit; however, the next eligible applicant will be offered the available unit.

Applicants that have not disclosed and/or provided verification of a valid and accurate social security number for non-exempt household members after 90 days from the date they are first offered an available unit, will be determined ineligible and removed from the waiting list.

4. Applicant household members 62 years of age and older who declare that their initial determination of eligibility began prior to January 31, 2012 with either a Public and Indian Housing (PIH) agency or in a Multifamily HUD assisted program will be afforded an exception of disclosure, if the applicant is unable to disclose and/or provide verification of a valid and accurate social security number during the eligibility process. Management will attempt to obtain verification from the former PIH agency or the former Management Agent administering the housing assistance program on behalf of the applicant.

Management will exercise such additional verification efforts for individuals 62 years of age and older only in the event the applicant is unable to disclose and/or provide verification of a valid and accurate social security number during the eligibility process.



If management's verification efforts are unsuccessful, the applicant will be notified, and provided 90 days from the date of the notice to disclose a valid accurate social security number. During this period the applicant household will retain their place on the waiting list 90 days. However, if the applicant is unable to disclose valid social security number after 90 days, the applicant will be determined ineligible and removed from the waiting list.



iii. The applicant Head of Household must be legal contact age (18 years of age or older.)

iv. STUDENT STATUS REQUIREMENTS UNER SECTION 8

***Exemption – Students with disabilities that were receiving Section 8 (subsidy) assistance as of November 30, 2005 are exempt from the Student Status requirements under Section 8. However, Students with disabilities receiving assistance as of December 1, 2005 are subject to the following Student Status requirements under the Section 8 program:***

A determination of a student household member's eligibility for Section 8 assistance will be made at move-in, annual recertification, initial recertification, and at any time an interim recertification is processed.

Assistance will not be provided to households that contain individuals that do not meet HUD's exemptions under the Student Rule. Applicant households contacting ineligible students are not eligible for Section 8 assistance.

Moreover, non-citizen students and their 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. Assistance will not be prorated for an applicant household, containing ineligible student household members. Lastly, assistance will be terminated for existing households containing ineligible student household members.

An Applicant's /Resident's eligibility will be passed on the following criteria when and if their student status is factor of evaluation.

Under the project- based Section 8 program, eligibility of all adult members of a household who are full-time or part-time students must:

1. Be of legal contract age under that state law.
2. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy or the individual meets the U.S. Department of Education's definition of an independent student.
3. Not be claimed as a dependent by parents or legal guardians pursuant to IRS Regulations.
4. Obtain a certification of the amount of financial assistance from the individual providing the support. This certification is required even if no assistance will be provided. The financial assistance provided by persons not living in the unit is part of the annual income that must be verified to determine eligibility and at annual recertification to determine rent.

Section 8 assistance shall not be provided to any individual who:

1. Enrolled as a student as an institution of higher education (as defined under section 102 of the Higher Education Act of 1965);
2. Is under 24 years of age;
3. Is not a veteran;
4. Is unmarried;
5. Does not have a dependent child;



6. Is not a person with disabilities, as such term is defined in the United States Housing Act of 1937, and was not receiving Section 8 assistance of November 30, 2005;
7. Is not otherwise individually eligible, or has parents who individually or jointly, are not eligible, to receive assistance under Section 8 of the United States Housing Act of 1973

***Exemption: Students who reside with their parents/guardian as a dependent who are applying for Section 8 assistance are exempt from this student rule.***

Financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance. *Note: HUD has interpreted the term "financial assistance" as used in Section 327(b) to not include loan proceeds for the purpose of determining income. However, all income in excess of tuition fees is to be included as income.*

- v. At move-in, the amount the family would be required to pay using the applicable HUD rent formula must be less than the gross rent for the unit. Therefore, if a household's Total Tenant Payment (TTP) exceeds the gross rent, the family may not be considered an eligible family even if their Annual Income is at or below the applicable income limit.
- vi. All adult household members (18 years of age and older) must sign the *Notice and Consent for the Release of Information*, Form HUD-9887, at the time of the initial certification and at each annual recertification thereafter. Additional signatures must be obtained from new adult members when they join the household and when members of the household become 18 years of age. Failure to sign this consent form may result in the denial of assistance or termination of assisted housing benefits. Such rejection/termination will follow the procedures set forth by HUD/Lease Agreement.
- vii. All adult household members (18 years of age and older) must sign the *Applicant's/Tenant's Consent to the Release of Information*, Form HUD-9887-A, at the time of initial certification and at each annual recertification thereafter. In addition, when new adult members join the household and when members of the household become 18 years of age, they must also sign this and all other relevant consent forms. Failure to sign this or any required consent form may result in the denial of assistance or the termination of assisted housing benefits. If an applicant is denied assistance for this reason, the notification procedures mandated by HUD will be followed. If a resident is denied assistance for this reason, the procedures set out in the Lease Agreement will be followed which requires the resident to pay the higher, HUD-approved Market Rent for the unit for failure to provide recertification information.
- viii. The applicant must be willing to pay the rent calculated according to the Department of Housing and Urban Development (HUD) rules. Minimum Total Tenant Payment of Twenty-five Dollars (\$25.00) per month must be charged according to Federal law, except as stated below. (Applicant to Section 8 Program recipients only.)
  1. Management will consider hardship exceptions to the minimum rent requirement.
  2. Short-term hardships (90 days less) will have minimum rent payment deferred for 90 days, after which time, the household will be required to sign a reasonable repayment agreement to repay the deferred minimum rent payments.
  3. Long-term hardships (91 days and longer) will have the minimum rent requirement waived until such time as the hardship no longer exists. No repayment will be required.
  4. Hardships are as follows and MUST BE VERIFIED, in writing:
    - a. The household has lost eligibility for a federal, state or local assistance program;
    - b. The household has applied for a federal, state or local assistance program and is waiting





for a determination by program officials as to its eligibility for assistance;

- c. The household would face eviction if forced to pay minimum rent;
  - d. The household income has decreased; or
  - e. There has been a death in the household.
  - f. Other applicable situations, as determined by HUD, have occurred.
5. When a tenant requests a financial hardship exemption, management must waive the minimum \$25 rent charge beginning the month immediately following the tenant's request and implement the TTP calculated at the higher 30% of adjusted monthly income or 10% of gross monthly income (or welfare rent). The TTP will not drip to zero unless those calculations all result in zero.
  6. Management will request reasonable documentation of the hardship in order to determine whether there is a hardship and whether it is temporary or long term in nature. Management will make a determination within one week of receiving the documentation.
  7. Management may not evict the tenant during the period of determination and during the 90-day suspension period, if applicable.
  8. If Management determines the hardship to be long-term, the tenant will be required to recertify every 90-day.
  9. The unit must be the applicant's ONLY residence.
  10. The applicant must not currently be receiving assistance on another unit within this community.

## VI. INCOME LIMITS/ECONOMIC MIX REQUIREMENTS

*Note: The following income limits vary by family size.*

### A. Section 8 Income Limits – Post – Universe (10/1/81)

- i. Very-Low Income – see applicable limits posted in the rental office
- ii. Extremely-low Income – see applicable limits posted in the rental office

### B. Section 8 Program Income-Targeting Requirements

- i. When a Section 8 unit becomes available management will make at least forty percent (40%) of the assisted units that become available in the property's fiscal year, available to household whose income does not exceed thirty percent (30%) of the area median income ("extremely-low income") at the time of admission. This will be accomplished by the following method:

1. Alternate between the first extremely-low income applicant on the waiting list and the applicant at the top of the waiting list in groups of 10. In chronological order, management will admit the first four (4) extremely-low income families from the waiting list and then admit the next six (6) families from the

top of the waiting list, regardless of income. After filling the first 10 available units, management will again admit the first four (4) extremely-low income families on the waiting list and then the next six (6) families currently at the top of the waiting list.

2. For purpose of meeting this program requirement, move-ins and initial admissions will be included in



meeting extremely low rule.

ii. Following income targeting limitations also continue to apply (Section 8 units only):

1. For properties with HAP contracts effective **on or after October 1, 1981**, all of the turnover units in any year must be rented to households with incomes equal to or less than the very-low income limit (50% of the area median income), unless HUD has approved an exception to admit families whose incomes are above the very-low income limit. (Very-low income applicants will be alternated with Extremely-low income applicants as indicated in a. above.)

## **VII. PROCEDURES FOR NOTIFYING APPLICANTS OF A CHANGE IN RESIDENT SELECTION**

### **A. Changes in Resident Selection**

- i. As changes are made to the Resident Selection Criteria (RSC), RSC Update letter will be forwarded to all active applicants advising them of the change that may affect their eligibility for occupancy.
- ii. All applicants are required to meet the eligibility criteria requirements as outlined here within.

## **VIII. PROCEDURES FOR ACCEPTING APPLICANTS AND SELECTING FROM THE WAITING LIST**

### **A. Applicant – Intake**

- a. Applications will be accepted in person, by U.S. mail or facsimile.
- b. Applications will be provided and accepted via mail as a reasonable accommodation for persons with disabilities who as a result of their disability cannot visit the community in person to complete the application.
- c. Applications will be provided and accepted via mail for those applicants requesting mailing service due to living outside the immediate area, or out of state.
- d. Each application will be date and time stamped upon receipt.
- e. If an appropriate size unit is not available at initial application, the applicant will be placed on the Master Applicant Waiting List. A letter will be sent to the applicant notifying them that they have been placed on the waiting list. The letter will also advise the applicant of their responsibilities in order to remain on the waiting list in an active status.
- f. Verification of application will take place as such time as the applicant's name has reached the top or near top of the waiting list, and an appropriate size unit is expected to become available.
- g. A copy of this Resident Selection Criteria will be provided to the applicant at the time application is made.

### **B. Waiting List Procedures**

- i. All completed applications and transfer requests that are determined to be eligible and that have met screening criteria are listed on the waiting list by date and time received. The date and time are based on the date and time the completed application or transfer request is received or the date and time a previously-rejected application is approved through the appeals process.
- ii. There will be one master waiting list for the property; however, additional sub-lists may be maintained, such as a Barrier-Free, In-House Transfers, etc. When an apartment becomes available, and there are not eligible internal transfers pending (when a thirty day notice has been submitted), the applicant at the top of the waiting list will be contacted to come to the on-site office for an interview (or another appropriate applicant as per the income targeting requirements outlined in Section II B). Management will attempt to make contact with the applicant by telephone at least three (3) times during the next 48-hour period. If contact cannot be made by



telephone, a letter (Unable to Contact) will be sent through the U.S. Mail by certificate of mailing process requesting a date and time for an interview. If there is no response to the letter within fourteen (14) business days from the date of the letter, the applicant will forfeit the opportunity to apply for the available unit, and will be coded in active on the applicant wait list. Should the applicant contact management anytime within 90 days from the date their application was coded inactive, and can provide an acceptable reason for not responding the Unable to Contact (UTC) letter due to extenuating circumstances, their application will be reinstated once the applicant completes and management receives the executed Application Update Questionnaire.

- iii. All household members or a designated individual with proof of Power of Attorney privileges will be required to attend the interview. During the interview, applicants will be asked to sign verification forms so proof of the information provided on the application can be obtained. (All verification forms used will conform to standards required by the Department of Housing and Urban Development (HUD).
- iv. Upon completion of the interview process and the applicant meets all selection criteria requirements, an applicant will be offered a unit for their appropriate family composition/size for immediate occupancy. In the event the applicant refuses to accept the unit, and wishes to remain on the waiting list for the next available unit; the applicant will be provided a second and third opportunity to accept a unit for immediate occupancy.
- v. Until such time occurs the applicant's application will remain at the top of the waiting list for a unit that meets their appropriate unit size. Should the applicant refuse to occupy the third (3<sup>rd</sup>) unit offered, the applicant's application will be removed from the waiting list; at which time Management will send a letter via U.S. Mail informing the applicant that due to their failure to accept the three (3) vacant units offered, their application has been removed from the waiting list. The applicant may re-apply by submitting a rental application to the rental office; at which time their new application will be placed at the bottom of the waiting list.
- vi. If the contacted person refuses an available unit, he/she will remain at the top of the applicable waiting list, however, a letter will be immediately (within 48 hours) sent informing him/her that after the third refusal his/her name will removed from the waiting list and placed in the inactive file.
- vii. When an interview is set up, but the applicant fails to show up and does not contact management within 24 hours of the appointment, management will forward an Interview Decline letter, informing the applicant that their application is still active on the waiting list, and that management will attempt to contact them at a later date to schedule an interview. In the event management is required to forward an Interview Decline Final Notice letter, again the applicant will be informed that their application is still active on the waiting list, and that management will provide the applicant a final opportunity to attend an interview to determine their eligibility.

The applicant's failure to attend a third scheduled interview to evaluate their eligibility for occupancy will result in management forwarding a Notification of Removal from the waiting list. As results, the applicant's application will be coded as inactive on the waiting list, and the application file will be placed in the inactive files. The applicant may re-apply by submitting a rental application to the rental office; at which time their new application will be placed at the bottom of the waiting list.

- viii. Changes in family size and characteristics may result in the applicant being moved to the appropriate unit size waiting list. They will assume a position of the new list based upon the date and time of their initial application. The family will be provided the opportunity to transfer to a unit size of their choice so long as the family composition/size meets management's occupancy standards.
- ix. Although it is the responsibility of the applicant to notify management of any changes in phone numbers, address, and household composition, management will conduct periodic waiting lists updates either annually, bi-annually or quarterly depending on occupancy and vacancy trends.

Those applicants failing to respond within fourteen (14) days from the date of notification will be removed from the waiting list and placed in an inactive waiting list file. Should the applicant contact management anytime within ninety (90) days from the date their application was coded inactive, and can provide an acceptable reason due to extenuating circumstances for not responding to the notification, their application will be reinstated at their original place once the applicant completes and management receives an executed Application Update questionnaire and/or other requested information.



- x. Applicants coded inactive on the waiting list as a result of not responding to an update request because of the disability, will be reinstated at their original place on the wait list and provided an accommodation to assist them with meeting application process for determining eligibility.
- xi. An applicant may be on more than unit type waiting list if they qualify for more than one unit type. The date of initial application will determine their place on the list.
- xii. Each applicant will be notified promptly of the disposition of his/her application. If an applicant is placed on the waiting list, the applicant will be sent a letter notifying him/her that their application has been added to the applicant wait list, and that further review of their income, assets, and expenses will be evaluated at the time of their income, assets, and expenses will be evaluated at the time of their eligibility interview. However, in the meantime their application will remain on the waiting list until such time their application reached the top of the applicant waiting list, and as an appropriate unit becomes available.
- xiii. An applicant or a resident who wishes to transfer will be removed from the waiting list if:
  - a. The applicant or resident states that he/she is no longer interested
  - b. The household no longer meets the eligibility requirements for the community
  - c. The household's application or transfer request is rejected
  - d. The applicant's or resident's household size changes and no appropriate unit size exists in the community
  - e. The applicant fails to respond to a written notice for an interview within 5 days
  - f. The applicant fails to respond to a written request for an application update within 30 days
  - g. Mail sent to the applicant's address is returned as undeliverable
  - h. The applicant or resident is offered and refuses a standard unit two times unless the applicant or resident refuses due to the inaccessibility of the unit for himself or herself or another household member.
- xiv. Applicant files will be retained at the community to which the applicant applied for three years from the date of the removal from the waiting list. If an applicant or resident who wishes to transfer is removed from a waiting list in error, then the applicant or resident will be reinstated to the original place on the waiting list immediately upon discovery of the error.

### C. Opening and Closing the Waiting List

- i. The waiting list will be closed for one or more unit size when the average wait is one year or more.
- ii. Management will advise potential applicants that the waiting list is closed and refuse to take additional applications.
- iii. When Management closes the winging list, a notice will be published in publication/publications likely to be read by potential applicants. This is in addition to publications named in the property's Affirmative Fair Housing Marketing Plan (AFHMP). Contact listed in the AFHMP will also be notified of the closure of the waiting list.
- iv. When management agrees to accept applications again, the notice of action will be announced in a publication likely to be read by potential applicants in the same manner as the notification that the waiting list was closed.
- v. Notice of the opening of the waiting list will include the rules for applying, the order in which applications will be processed, where and when to apply.



- D. Screening Criteria** - Once a completed application has been received and determined eligible for the community and a unit is available, the agent will obtain credit/criminal/eviction background checks for all household members age 18 and may review any available public source of background information. The agent will review the application and

credit/criminal/eviction background checks to determine if the application will continue to be processed or if it must be rejected for one or more of the reasons listed below.

Applicants will be rejected for the following reasons:

1. Any household member is currently engaging in illegal drug use
2. The agent determines that there is reasonable cause to believe that a household member's illegal use or a pattern of illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents (Examples of evidence of illegal activities may include a conviction record, former landlord references, etc.)
3. Any member of the household is subject to a lifetime registration requirement under a state sex offender registration program
4. Any member of the applicant household has previously been evicted from any housing
5. Any member of the applicant household has engaged in, been convicted of, or served prison time for any violent criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents in the last seven years
6. Any member of the applicant household has engaged in, been convicted of, or served prison time for any drug-related activity or any other criminal activity that would threaten the health or safety of the residents, owner, or any employee, contractor, subcontractor of agent of the owner who is involved in the housing operations in the last five years
7. Any household member provides false or misleading information and/or withholds pertinent information
8. During any meeting with the agent, any member of the household displays extremely poor personal hygiene, appears to be under the influence of drugs and/or alcohol, uses foul language, and/or threatens or intimidates any person
9. Any household member refuses to sign verification forms, consent forms or declaration of citizenship forms, or refuses to provide verification of the declarations
10. Any household member does not qualify for

If the application successfully meets the screening criteria, the agent will continue the application process by placing the application on the waiting list(s) for the unit type for which the household qualifies based on the date and time the completed application was received. A letter acknowledging receipt of the application and its placement on the waiting list(s) will be sent to the applicant.

If the application fails to meet the screening criteria, the application will be rejected. A letter noting the reason for the rejection and information on the appeal procedure (see below) will be sent to the applicant.

The agent reserves the right to reject an application *at any time during the application process* prior to lease signing for reasons contained within this Resident Selection Criteria.

#### **Live in Aid Attendants:**

For the purpose of maintaining a criminal free housing community, Management will conduct criminal background screening (*includes but not limited to drug, and sex offender screening*) on all prospective Live-in Aide Attendants. The criminal background screening process of a Live-in Aide Attendant, in no way constitutes eligibility for assistance or admission as a participant in federal Section 8 program.

A Live-in Aide Attendant's right to occupy the Resident's unit is entirely dependent upon the Attendant providing care to the Resident. If the Resident ceases to reside in the unit for any reason, including, but not limited to the following, the attendant must vacate the unit immediately without further notice:

- i. The Resident is absent from the unit for more than fifteen (15) consecutive days and the Resident has not requested and received written consent by management for the Attendant to continue to reside in the unit for a specific period of time, due to a medical necessity involving a required stay in a hospital or other medical facility. Should the Resident return, the Attendant will be allowed to resume occupancy for purposes of caring for the Resident.
- ii. The Resident vacates the unit, surrenders, or abandons the unit.



- iii. The Resident becomes deceased.

**Applicant Households:**

A criminal background check will be conducted on all adult members of the applicant family (18 years of age and older). A criminal background check (includes but not limited to drug, and sex offender screening) will be conducted on adult household members who are under application to be added to the existing household. The results of this check will be the basis for rejections if any of the following is found:

- i. Any household containing a member(s) who was evicted in the last three (3) years from federally assisted housing for drug-related criminal activity. There are two exceptions to this provision:
  - 1. The evicted household member has successfully completed an approved, supervised drug rehabilitation program; or
  - 2. The circumstances leading to the eviction no longer exists (e.g., the household member no longer resides with the applicant household).
- ii. Management will reject the application if any person listed on the application is currently or has ever been determined guilty of a violent crime by due process of law; or if there is clear documentation to support a pattern of criminal activity. These crimes may include, but not be limited to the following:
  - 1. Conviction of the applicant or member for the applicant's family of a felony in any state or federal court;
  - 2. Conviction of the applicant or member of the applicant's family of a misdemeanor involving violence;
  - 3. Conviction of the applicant or member of the applicant's family for possession, usage or distribution of a controlled illegal substance;
  - 4. Conviction of the applicant or member of the applicant's family for possession of an unregistered firearm or possession of an illegal weapon that can cause physical harm or emotional suffering by intimidation;
  - 5. Records of fraudulent misrepresentations, disturbance of neighbors, destruction of property or other disruptive or dangerous behavior which damages the equipment or premises in which the family resides or resided or which is or was disturbing or dangerous to neighbors or disrupts sound family and community life. These actions include but are not limited to behavior or conduct including threats, which adversely affects the safety or welfare of the other persons including on-site staff personnel; by physical violence; gross negligence; irresponsibility or discharging of a firearm, legal or illegal' or brandishing a knife or other weapon.
  - 6. Irresponsible community behavior, which causes irreparable damage to the reputation of the apartment community.
  - 7. Intimidation or threats of physical harm to management or maintenance personnel.
- iii. An application will be rejected if any person listed on the application is currently or has **ever** been determined guilty of a violent crime by due process of law; or if there is clear documentation to support a pattern of criminal activity. These crimes may include, but are not limited to the following:
  - 1. The head of household or a member of the household did commit a drug-related criminal activity that did threaten the health, safety or right to peaceful enjoyment of the premises by the other residents or management agents, contractors, subcontractors or owners.





2. The head of household or member of the household did commit a violent criminal activity that did threaten the health, safety or right to peaceful enjoyment of the premises by the other residents or management agents, contractors, subcontractors or owners.
  3. The head of household or a member of the household did commit other criminal activity that did threaten the health, safety or right to peaceful enjoyment of the premises by other residents or management agents,
  4. A member of the household did commit, or was convicted of a felony.
  5. The head of household or a member of the household was evicted from federally assisted housing for drug-related criminal activity within the last three (3) years.
  6. The head of household or a member of the household engages in the use of an illegal drug or drugs that interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.
  7. The head of household or member of the household engages in a pattern of illegal use of a drug or drugs that interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.
  8. The head of household or member of the household gives reasonable cause to believe there is a pattern of abuse of alcohol that interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.
  9. The head of household or member of the household committed a sexual offense or is a sexual offender that requires lifetime registration under a state registration program.
- iv. This community committed to Drug-Free Housing. The Lease Agreement prohibits criminal activity, including drug-related criminal activity on or near the premises. Violations of this Lease provision will be considered cause for termination of tenancy.
- v. Knowledge gained after move-in of any criminal activity resulting in arrest or conviction of a household member for any of the above stated activities, may result in termination of the Lease Agreement.

Moreover, Management has adopted a policy of conducting criminal background checks at Annual Recertification for all current residents. If a criminal background check conducted at annual recertification reveals that a resident is in violation of the provisions of their lease for criminal activity, Management will evict the resident household in accordance with the lease and Management will evict the resident household in accordance with the lease and Management's standards for terminating tenancy as found in this Resident Selection Criteria. The household will be provided notification of this proposed action based upon the information outlined in the criminal report and a cop of the information used in the determination. The resident will have fourteen (14) days to dispute the accuracy and relevance of the information provided by any law enforcement agency reporting the criminal activity.

- vi. References will be obtained from present and past Landlords. An applicant may be rejected if these reports document failure to make payments or shows evidence that the applicant, applicant's family and/or guests of the applicant disturbed the safety, security and or/right to peaceful enjoyment of the premises by other residents. The applicant will be rejected if the Landlord states poor housekeeping habits posing a threat to the health, safety and welfare of the household members or other residents of the community, legal proceedings against the applicant or household members and/or eviction. Verifiable rental history will include a completed verification form signed by the current and/or prior Landlord. Those applicants whose history shows repeated late rental payments over the past two (2) years, as verified by landlords or



court records, those applicants may be rejected on the basis of poor rental practices. Unless the applicant can provide a verifiable explanation as to the reason they repeatedly paid their rent late, their application will no longer be considered for housing. The application will be declined in this instance. Lack of Landlord references alone will not be reason for rejection of the application.

- vii. All household members regardless of age will be screened thru the Enterprise Income Verification (EIV) System's Existing Tenant Search. EIV queries both Multifamily Housing and Public Indian Housing locations to determine if any member is currently receiving rental assistance. If the applicant is determined to be residing at another subsidized property, management will discuss this with the applicant, giving the applicant an opportunity to explain any circumstances relative to his/her being assisted at another location. Management will also follow-up with the respective Public Housing Authority or Owner/Agent to confirm the individual's program participation status before admission. If applicant meets all required eligibility requirements, management will coordinate move-out and move-in dates with the owner/agent of the property at the other assisted property.
- viii. A **credit check** will be obtained for each adult member of the applicant's family who is eighteen (18) years of age or older without charge to the applicant.

**Underwood Family Apartments** utilizes the service of First Advantage to obtain credit and information profiles. The scoring system used by First Advantage evaluates each applicant's consumer credit report and other publicly reported information. First Advantage's score is based on real data and statistics, so it treats all applicants objectively. Each applicant's consumer credit report contains information about them as an individual, and their credit experiences, such as bill-payment history, the number and type of open accounts, late payments, collection actions, outstanding debt, and the age of the open accounts. Other publicly reported information may include civil criminal court records. Based upon combined score for all adult applicants within a household, the applicant will be accepted, accepted conditionally or rejected.

If an applicant's application is rejected, the adverse action letter will be provided outlining the name, address and telephone numbers of the credit reporting agencies that provided the consumer information.

RealPage obtains information from the following sources: Equifax, Experian, Trans Union and Telecheck.

Management is limited to informing the applicant that their application and eligibility has been rejected based on confidential information received from the local reporting agencies. Management is, of course, agreeable to reappraising a credit and information report forwarded to Management by the credit-reporting agency on behalf of the applicant, which encompasses certain corrections and/or additions made in that report as a result of action taken directly by the applicant with the credit bureau, court and/or creditor

Moreover, applicant will be given the opportunity to clear alleged, erroneous civil or criminal records reported from courts or debts reported by creditors from their credit history that would be cause to reject their application. If an applicant has met with the Management regarding the appeal of the unfavorable RealPage score within the allowed 14 days of rejections, the applicant will be granted sixty (60) days to appeal Management's decision or rejections. (Note: a unit will not be held vacant during the appeal process.)



Applicants will be required to provide acceptable proof through a reliable third party source (i.e. the court) in writing on the company or agency's letterhead stationery that the information is inaccurate or incomplete. In certain cases, court documentation may be required showing that the debt(s) have been cleared/resolved, and no further delinquency exist.

The application and eligibility are, however, considered rejected until updated information and/or documents of proof of payment are acceptable to management to resolve the inaccuracies (e.g. clear the debt(s)); the applicant's application will be reinstated to their original position on the waiting list.

- ix. Written verification of income, assets, dependents, and all eligibility requirements will be required from third parties for all applicants. All documentation must be current (within 120 days of move-in), including credit and criminal checks. Management will require the household to sign new consent release forms so that such documentation may be updated. If the household fails to sign the requested consent release forms, the application will be declined. If the updated documentation is not received by Management, move-in will be postponed until such documentation is received, and the next qualified applicant will be processed for the available unit.
- x. Applicant's ability and willingness to pay rent in a timely manner will be determined by reviewing their income, current and previous rent-paying history as determined from their current and previous rent-paying history as determined from their current and previous landlords, general attitude toward financial obligations as determined from the credit reports and the understanding and appreciation of the importance of rent payment as determined during the interview process.
- xi. Applicant's ability and willingness to care for the unit will be determined through current and previous landlords. This will include any damages to the applicant's current or previous units as verified by the landlord(s) beyond normal wear and tear. A home visit may also be conducted in order to determine current housekeeping habits.
- xii. Applicant's ability and willingness to abide by the Lease Agreement will be determined through current and previous landlords, government or social agencies, police records and, in some cases, through the credit report. This criteria covers such important areas as permitting unauthorized persons to live in the unit, creating physical hazards (i.e., storing gasoline in the unit, shooting a gun on the property, etc.), interfering with the rights and quiet enjoyment of other residents (threatening or attacking neighbors, vandalism, stealing, drug activity, police activity, spousal or family member abuse, etc.), and providing false information in the course of the application process.

**E. Procedures for Rejecting Ineligible Applicants** – When an application is determined rejected, the applicant will be notified in writing of the reason for the rejection and given the opportunity to submit a written request within 14 days for a meeting to discuss the determination. Copies of rejection letters and any enclosures, as well as any such letters returned by the post office, will be kept in the applicant's file at the site office for a period of three years from the date of the application.

**i. Reasons for Rejection:**

- a. Applicants will be rejected if they fail to meet any Department of Housing and Urban Development (HUD) eligibility requirements with regard to income limits, family/household definition and family/household composition.
- b. History of violence as evidenced by previous landlords' verification, a recent record of arrest and/or conviction;
- c. Poor housekeeping as evidenced by previous landlords' verification(s);
- d. History of drug or alcohol abuse as evidenced by previous landlords' verification(s), recent record of arrest and/or conviction, and no current rehabilitative services;
- e. Refusal to occupy apartment without pets (if property has a No Pet Policy);
- f. History of rent arrears or poor rental background as evidenced by previous landlords' verification(s) and/or the credit report;
- g. Poor credit report;
- h. Refusal to occupy proper unit in accordance with HUD/Management unit size standards;
- i. Refusal to pay rent calculated using HUD's rules;



- j. Refusal to complete the Section 214 Review Declaration Form for every member of the household;
  - k. Refusal to sign any required verification form for the release of information required to provide eligibility and/or rent calculation;
  - l. Refusal to sign HUD Forms 9887 and 9887-A, Consent for Release of Information, as required by HUD;
  - m. This community will not be applicant's only place of residence;
  - n. History of property damage to apartment/townhouse/house or common areas as evidenced by previous landlords' verification(s) and/or credit report;
  - o. History of lease violations as evidenced by previous landlords' verification(s)
  - p. History of violence against family member(s), neighbors, and interference with management's duties and responsibilities as evidenced by previous landlords' verification(s), government or social agencies verification(s), and/or police reports;
  - q. A conviction of the applicant or member of the applicant's family of a felony involving the use of weapons, drugs or violence against other persons in any State or Federal Court;
  - r. A conviction of the applicant or member of the applicant's family for possession, usage, or distribution of a controlled illegal substance;
  - s. A conviction of the applicant or member of the applicant's family for possession, usage, or distribution of a controlled illegal substance;
  - t. A conviction of the applicant or member of the applicant's family for possession of an unregistered firearm or possession of an illegal weapon;
  - u. Records of fraudulent misrepresentation, disturbance of neighbors, destruction of property or other disruptive or dangerous behavior which damages the equipment or premises in which the family resides or resided or which is or was disturbing or dangers to neighbors or disrupts sound family and community life. These actions include but are not limited to behavior or conduct including threats, which adversely affects the safety or welfare of other persons including on-site staff personnel; by physical violence; gross negligence; irresponsibility or discharging of a firearm, legal or illegal; or brandishing a knife or other weapon;
  - v. If a household fails to move into the rent-ready unit on the agreed upon date, the application can be rejected and the unit will be offered to the next qualified applicant; or
  - w. If any member of the household has committed any fraud in connection with any Federal Housing Assistance Program or been evicted from Federal Housing for drug-related criminal activity within the last three (3) years.
- ii. "In accordance with the Violence Against Women Act (VAWA) management will afford the applicant an opportunity to dispute a denial of their application due to circumstances involving domestic, dating, and/or stalking violence. The applicant is required to certify that the incident or incidents are bona fide incidents of abuse and/or provide alternative documentation such as:
1. A federal, state, tribal, territorial, or local police or court record; or
  2. Documentation signed by an employee, agent or volunteer of a victim service provider, an attorney or medical professional, from whom the victim has sought assistance in addressing the 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(s) in questions are bona fide incidents of abuse, and the victim has signed or attested to the documentation.

Management will provide the applicant with a VAWA certification form (HUD form-91066). The applicant is required to return the completed certification form and/or provide alternative documentation as outlined above within 14 business days. Failure to provide certification and/or alternative documentation within 14 business days to support the applicant's status as a victim will prevent management from affording the applicant protections under the VAWA.

In order to protect the privacy of the application and not to jeopardize the safety of the applicant or other household members, management will take the necessary precautions in forwarding correspondence to the applicant relating to the domestic, dating, and/or stalking violence. All correspondence will be provided to the applicant during an in person meeting at the community to which they have applied, or forwarded via mail to an address provided by the applicant.

### iii. Rejection Notices

The following Rejection Notice process will be followed:

1. The applicant will be notified in writing of Management's decision to reject their application for occupancy. The notice will outline the reason(s) for rejection, and will advise the applicant that they have fourteen (14) days in which to contact Management for an appointment to appeal the rejections. ***Persons with disabilities may request for a reasonable accommodation in order to participate in the informal hearing process.***
2. The meeting with Management will be held with an appointed Management Agent Representative.
  - a. Includes but not limited to one of the following:
    - Community Manager (CM), if the CM was not party to the original decision to deny occupancy.
    - Regional Compliance Auditor
    - Regional Property Manager
3. If the applicant appeals the decision as a result of the meeting held with an authorized Management Agent Representative, one of the following representative will receive the case file, and provide the applicant with a final decision in writing within five (5) days of their review:
  - a. Regional Compliance Auditor
  - b. Regional Property Manager
  - c. Area Vice President – Operations

Applicants rejected as a result of not responding to update requests, and/or request for participation in the eligibility review process because of a disability, will be reinstated at the original place on the wait list, and provided an accommodation to assist them with meeting the application process for determining eligibility.

4. Within five (5) days of the hearing, a letter will be sent to the applicant stating the results of the meeting and the decision reached by Underwood Elderly Apartments. A copy of the decision letter, as well as any such letter returned by the post office, will be kept in the applicant's file at the main office or the on-site office for a period of three years from the date of the application. All results are final and may not be appealed.



5. An applicant who is rejected as a result of a hearing may reapply at a future time if he/she believes the reason(s) for the rejection have been cleared.
6. Applicants who are approved as a result of a hearing will be placed on the waiting list(s) for the unit size(s) for which the household qualifies based on *the date and time of the hearing*.

**Applicants will not be rejected on the basis of race, color, creed, religion, sex, national origin, ancestry, age, handicap or disability of any person, familial status, the use of a guide or support animal because of the physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is known to have a relationship or association.**

## IX. OCCUPANCY STANDARDS

The unit size will be selected based on household composition and size as follows:

*Note: Management may modify the general Occupancy Standards listed below, in the event a household requires a smaller or larger unit due a household member's verified disability, and need for Reasonable Accommodation.*

3 - 6 persons:	3 Bedroom;
4 - 8 persons:	4 Bedrooms;

Applicants who qualify for two (2) different sized units (i.e., four (4) to six (6) persons qualify for both a three-bedroom and a four-bedroom unit), and choose to move into the smaller unit will not qualify for a transfer to the larger size unit for three (3) years from their date of move-in on the property if their family size remains the same. At the end of the three (3) years, the family can request and be placed on the Transfer Waiting List for the next sized unit.

## X. TRANSFER POLICY/PROCEDURE

### A. Transfer Policy

#### i. Resident Requested Transfers

Existing residents may request a transfer to another apartment if the resident requires a fully accessible unit or a reasonable accommodation for a disability that cannot be addressed in the resident's current unit. The resident must submit a written request for the transfer (including the reason for the transfer) to the main office or to the on-site office.

A transfer request will only be accepted if the reason for the request is consistent with the reasons noted above, and the household meets the following criteria:

- a. The household meets all project eligibility requirements at the time of the transfer, and
- b. The initial term of the household's lease has been completed or will be completed by the time an apartment is available, and
- c. The household has made rental payments on time and does not have any outstanding balances, and
- d. The household has not had a history of lease violations, complaints from neighbors, charges for damages, or poor housekeeping



Residents who submit a transfer request for a reason listed above and who meet the criteria above will be placed on the waiting list for the unit size or type requested (based on the date and time the request was received) and will be notified of the placement.

In the event of a vacancy, Resident Request Transfers will be provided on an alternating basis between selecting applicants from the Internal Transfer Waiting list and the Applicant Wait List in date order of request; for every one internal transfer, one Applicant move-in will be processed to ensure equal housing opportunities.



Resident Victims of domestic, dating, and/or stalking violence and Residents requesting Reasonable Accommodation transfer requests will be provided priority over applicant move-ins and processed in the order requested.

In the event there are no eligible internal transfer requests pending, applicants from the Applicant Wait List will be processed for move-in based on their ability to meet the eligibility requirements and occupancy standards.

The order of priority for Resident Requested Transfers will be as follows:

- a. Victims of domestic, dating, and/or stalking violence – Priority 1
  1. Victims of domestic, dating, and/or stalking violence are to complete a "Certification of Domestic Violence, Dating Violence or Stalking Violence". And/or provide alternative documentation in accordance with the VAWA.
- b. Reasonable Accommodation Request – Priority 2
  1. Medical Reason – includes need for accessible unit if such unit type is available.
- c. Change in Family Size/Composition – Priority 3

Existing households who submit a transfer request for reasons other than those listed above or who do not meet the additional criteria above will not be approved for a transfer. Such households will be notified in writing of the reason for the denial and given the opportunity to submit a written request within 14 days for a meeting to discuss the determination (see Section IV.D). Copies of denial letters will be kept in the resident's file at the regional office.

## ii. HUD Required Transfers

In-house transfers for the following circumstances will be housed before applicants on the Waiting list:

- a. Domestic, dating, and/or stalking violence,
- b. Reasonable accommodations,
- c. Over or under crowded units



The Department of Housing and Urban Development (HUD) requires residents to transfer to a larger or smaller unit because of family size/family composition and requires Owners to make reasonable accommodations due to medical needs (so long as those reasonable accommodations do not cause undue financial and administrative hardship on the property).

Over-Utilization of Existing Unit; More persons currently living in the unit than the number of persons allowed under our Occupancy Standards.

Under-Utilization of Existing Unit: Fewer persons currently living in the unit than the number of persons allowed under our Occupancy Standards.

Reasonable Accommodations: Required due to medical circumstances to enable the resident equal opportunity to use and enjoy their dwelling unit.

If reasonable accommodations are requested, the accommodations requested must be verified in writing by a doctor, hospital, and clinic or care provider that the reasonable accommodation is essential due to medical condition(s). Management will be responsible for cost associated with the transfer, unless doing so would be an undue financial and administrative burden.

In-house transfers for over or under crowded unit size will be processed as one (1) unit transfer from the transfer waiting list for every three (3) move-ins from the applicant waiting list. Current resident households requiring a transfer due to extending a reasonable accommodation will be housed before applicants on the Waiting List.

In-house transfers for over or under crowded unit size or due to extending reasonable accommodations for current residents household will be housed before applicants on the Waiting List.

If a resident's rent is not current at the time a unit becomes available, the next eligible transfer request will be granted their name will be placed at the bottom of the list for that particular bedroom size. However, in the event the transfer is due to medical, or need for reasonable accommodation management will evaluate this policy.

If a resident does not want to transfer at the time the unit is available, their name will be placed on the bottom of the list **UNLESS** the transfer is mandated by HUD. In this case, refusal to move will be cause for the termination of subsidy and the resident **WILL BE REQUIRED** to pay the current approved Market Rent for the unit they currently occupy.

\*Note: Residents requesting a transfer due to a reasonable accommodation are not subject to the market rent requirement for refusal to transfer.

## B. Transfer Procedure

- i. Resident must complete Transfer Request form. In the event the resident is not able to complete the Transfer Request from due to disability and/or a language barrier, Management will complete the request on their behalf; however, the resident will be required to sign and date the request. The original will be maintained in the resident's file and the resident will be given a copy for their personal records.
- ii. In the event of a request for a reasonable accommodation unit transfer, the request will be evaluated in accordance with CELTIC's Reasonable Accommodation policy and procedure. See Section X below regarding Section 504/Reasonable Accommodations.
- iii. The resident must be in good standing and have no balances due on their account.
- iv. When the transfer request is received, the Community Manager must complete a unit inspection of the resident's current unit. The results of this inspection must be satisfactory (no resident-related damages; maintained in a safe and sanitary condition).
  - a. If the inspection is unsatisfactory due to misuse of the unit, the request for transfer will be denied until the unit status is brought up to a satisfactory condition.
  - b. Copies of the unit inspection report and notice of unit inspection letter must be maintained in the resident's file.
- v. When the transfer takes place:
  - a. A move-out inspection will be conducted.



- b. The security deposit on the previous unit will be transferred to the new unit. The resident will be responsible for any damage charges incurred on the previous unit.
- vi. On the scheduled date of the transfer, the Community Manager will perform a move-in unit inspection with the resident. A signed copy of the unit inspection report will be maintained in the resident's file and a copy will be given to the resident for their personal files.

## XI. SECTION 504/FAIR HOUSING/CIVIL RIGHTS

- A. **Underwood Family Apartments** is an Equal Housing Opportunity Community. As such, this Community adheres to all federal Fair Housing and Civil Rights laws, all state and local regulations concerning nondiscrimination in housing and with all equal opportunity requirements in HUD administrative procedures.
- B. **Underwood Family Apartments** also adheres to the Fair Housing Act of 1968 concerning non-discrimination in housing.
- C. **Underwood Family Apartments** does not discriminate based on race, color, creed, religion, sex, national origin, ancestry, age, handicap or disability of any person, familial status, the use of a guide or support animal because of the physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is known to have a relationship or association.
- D. **Underwood Family Apartments** strictly adheres to these antidiscrimination laws and the Owner agree that this property will be listed, show, leased and managed in accordance with these laws.
- E. **Underwood Family Apartments** does not discriminate against any particular socio-economic classes (e.g., public assistance recipients, single parent household, etc.) or against individuals who are not members of any sponsoring organization of this Community.
  - a. These requirements apply to:
    - 1. Accepting and processing applications;
    - 2. Selecting residents from among eligible applicants on the Waiting List;
    - 3. Assigning units;
    - 4. Certifying and recertifying eligibility for assistance; and
    - 5. All other aspects of continued occupancy.



To file a complaint alleging violations with regard to Fair Housing laws or suspected discrimination, contact the Office of Fair Housing and Equal Opportunity at the Office of the Department of Housing and Urban Development (HUD) in Boston at 617-994-8300.

## XII. SECTION 504 STATEMENT OF OBJECTIVE/REASONABLE ACCOMMODATIONS

### A. Policy

In accordance with the Fair Housing Act, housing providers are required to provide reasonable accommodations in rules policies, practices and services in order to enable persons with disabilities to have an equal opportunity to use and enjoy a dwelling unit, including the public and common areas.

The Fair Housing Act (Title VIII of the Civil Rights Act of 1968 amended in 1988) applies to every property within the CELTIC portfolio. Under the Fair Housing Act, an individual with a disability is defined as follows:

*"Any person who has a physical or mental impairment that substantially limits one or more life activities; has a record of such impairment; or is regarded as having such impairment." (24CFR 8.3)*

Pursuant to HUD Notice 01-02 housing providers (Owner/Agent) are obligated to provide reasonable accommodations to individuals with disabilities. However, if providing such an accommodation would result in a financial and administrative burden, the housing provider is required to take any other action that would not result in an undue burden.

Section 504 defines as an individual with a disability to include persons with a physical or mental impairment that substantially limits one or more major life activities. The term "physical or mental impairment" may include, but is not limited to, conditions such as visual or hearing impairment, mobility impairment, HIV infection, mental retardation, drug addiction (except for current illegal use of or addiction to drugs), or mental illness.

The term "major life activity" is defined as a function such as caring for one's self, performing manual tasks, such as walking, seeing, hearing, speaking, breathing, learning, and working.

A reasonable accommodation is a change, adaptation or modification to a policy, program, service, building, dwelling unit or workplace which will allow a qualified person with a disability to participate fully in a program, take advantage of a service, live in a dwelling, or perform a job.

Is the objective of **Underwood Family Apartments** to operate the housing program so that the program, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. To accomplish this objective, the property will review its policies and procedures, and

- Modify those policies and procedures which impose barriers to full accessibility by individuals with disabilities; and
- Adopt such a new policies and procedures as are required to provide full accessibility by individuals with disabilities.

The property will also evaluate its program and activities to determine if any physical barriers to full participation by individuals with disabilities exist, and will indent methods for eliminating the identified barriers by

- Nonstructural changes in the program or activities; and/or
- Structural modifications needed to remove barriers so that the program, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.

## B. Procedure

In Selecting among available methods, the following guidelines will be used:



- a. Request for reasonable modifications and/or reasonable accommodations are to be provided either in writing or verbally by the Applicant or Resident to the Community Manager at the Rental Office.
- b. In an effort to provide the fair housing/reasonable accommodation, all efforts to maintain confidentiality and the Applicant/Resident's right to privacy will be maintained to the greatest degree possible.
- c. Written requests for accommodations will be logged on a Section 504 Fair Housing & Reasonable Accommodation Tracking Log. The Section 504 Fair Housing & Reasonable Accommodation Tracking Log will be used for tracking request by date, and type of request. The internal Unit Transfer Waiting List will also be used in conjunction with Section 504 Fair Housing & Reasonable Accommodation Tracking Log for unit transfer accommodation requests.
- d. Housing providers are not to make assumptions about the specific needs of an applicant/resident that may have a disability. Applicants/Residents are to be informed of the reasonable accommodation policy, and rely on the applicant/resident to request and initiate the reasonable accommodation process.

- e. In the event third party verification is required from an independent medical professional, Management will request authorization from the Applicant/Resident for disclosure of need for reasonable accommodation. This verification will be mailed/faxed to the attending physician/medical professional.
- f. Upon receipt of the completed verification of accommodation via mail/fax from the attending physician, the applicant/Resident will be notified in writing within a reasonable time not to exceed 30 days as to whether their request for a reasonable accommodation/accommodation medication is approved, denied, or if further verification/investigation is required, the notification letter will provide the applicant/Resident with a detailed reason for the need for additional information/investigation.
- g. Reasonable Modification to Existing Premises: Housing providers may refuse to provide a requested accommodation if providing the accommodation would constitute an undue financial and administrative burden or fundamental alteration of the provider's housing program. Therefore, should an accommodation for medication request pose a fundamental alteration in the nature of the program or an undue financial and administrative burden, and as a result management denies the request, Management may grant the applicant/resident permission to modify the existing premises under the condition that the modification is reasonable, and if applicant/resident agrees to restore the unit to the condition that existed before the modification. In this case, the applicant/resident will enter into a restoration agreement, and may be required to "pay into an interest bearing escrow account, over a reasonable period, the funds necessary to restore the premises to its original condition. The interest in a such account shall accrue to the benefit of the tenant" (24CFR 100.203)

In accordance with Section 504 of the Rehabilitation Act of 1973, any reasonable medications requested by a resident that is disabled, could be the financial responsibility of Underwood Elderly Apartments. An analysis will be made to determine if the medication is reasonable and, if the request will provide an undue financial and/or administrative hardship for the community. If so determined, management will seek alternatives to the request and meet with the applicant and/or resident to review and discuss.

- h. Priority will be given to accommodations that offer activities and facilities in the most integrated setting appropriate (i.e., so that individuals with disabilities may participate in the program in the manner which is most similar to that manner in which individuals without disabilities participate).
- i. If the accommodation is not considered reasonable and, therefore, denied, the Applicant/Resident may request a review of the decision by submitting appeal in writing to the Section 504 Coordinator.



- j. All request are reviewed and approved or denied by the Section 504 Coordinator or their designee

**Kim Jackson**

Name of Section 504 Coordinator

**Yesy Mazzulla**

Area Manager

- k. The appeal will be reviewed by the Section 504 Coordinator, or their designee. This review may include a consultation with the attending physician/medical professional, an independent living center, the Applicant/Resident and the 504 Coordinator or their designee. A final decision will be made and notification sent to the Applicant/Resident within fifteen (15) business days after the review and/or consultation.
- l. No action will be taken which would result in a fundamental alteration in the nature of the property's program or activities.
- m. No action will be taken which would results in an undue financial and administrate burden.

- n. With respect to actions that would result a fundamental alteration or undue burden, the property will take such similar action, if any, which would ensure that individuals with disabilities receive the program's benefits and services without resulting a fundamental alteration or undue burden.
- o. Priority will be given to accommodations that are requested by individuals with disabilities.

**WARNING:** Section 1001 of Title 18 of the US Code makes it a criminal offense to make willful false statement or misrepresentations of any material fact involving the use of or obtaining of Federal funds.

### **XIII. MODIFICATIONS TO THE RESIDENT SELECTION CRITERIA**

Reviews of the plan will occur at least annually to ensure that the plan reflects current operating practices, program priorities, and the requirements of the Department of Urban Housing and Development (HUD) and any other state agencies with oversight of the community.

Applicants on waiting lists prior to the effective date of the plan or any revision of the plan will be notified in writing of the implementation of the plan. Such applicants will not lose their place on the waiting list as a result of the implementation of the plan or any subsequent revisions.

New applications on or after the effective date of the plan or any subsequent revisions will be subject to the standards set forth in the plan as of the effective date.

Questions regarding the Resident Selection Criteria should be addressed to:

Frances Mariani, Property Manager  
Underwood Elderly Apartments  
25 Laurel Street  
Hartford, CT 06106



# **Underwood Family Apartments**

COMMUNITY NAME

## **RESIDENT SELECTION CRITERIA**

### **SECTION 8**

### **FAMILY**

**(Revised 03/30/2018)**

## **ACKNOWLEDGEMENT OF RECEIPT**



**WARNING:** Section 1001 of Title 18 of the US Code makes it a criminal offense to make willful false statement or misrepresentations of any material fact involving the use of or obtaining of Federal funds.

I/We, the undersigned, do hereby acknowledge:

1. That the Resident Selection Criteria (RSC) has been explained to me/us by Management and I/we understand and agree to comply with all criteria; and
2. That I/we have received a copy of this executed document for our personal records on the date shown below.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Management Signature

\_\_\_\_\_  
Date

