

## APPLICATION QUALIFICATION CRITERIA-Spicewood Springs

**Effective 07/2021**

Our community supports The Fair Housing Act as amended, prohibiting discrimination in housing based on race, color, religion, sex, national origin, familial status or disability. Please note that these are our current rental criteria; nothing contained in these requirements shall constitute a guarantee or representation that all residents and occupants currently residing at this community have met these requirements. There may be residents and occupants that have resided at this community prior to these requirements going into effect; additionally, our ability to verify whether these requirements have been met is limited to the information we receive from various resident credit reporting services used. A complete and signed application from all proposed occupants over the age of 18 must be submitted. Please review this information before completing the application and paying the application processing fee, which is nonrefundable. Falsification of information on the application will result in denial of residency and loss of application deposit as liquidated damages for our time and expense.

### IDENTIFICATION\*\*

All applicants must present a valid driver's license or other government-issued photo identification and one of the following:

- United States government issued Social Security number;
- Form I-94 Arrival-Departure Record;
- Temporary resident alien card verifying approved entry by the United States government (I-94W);
- I-551 Permanent Resident Card (Alien Registration Receipt Card);
- Form I-688 Temporary Resident Card;
- Form I-688A Employment Authorization Card.

### AGE/OCCUPANT

- Lease holder(s) must be at least 18 years of age or older, unless head of household.
- All occupants 18 years or older are required to apply and qualify under the Criminal History criteria and must not have any automatic rejections.
- All occupants 18 years or older are required to be screened under Income/Credit Criteria unless they are legal dependents as indicated on the most recent federal or state income tax form or a Live-in Caregiver as defined by HUD regulations.

### INCOME AND RENT/EARNINGS RATIO \*\*

- All applicants must have a verifiable income source (through check stubs, W2s, income tax return, proof of government payments/court ordered income or letter from employer).
- Gross monthly income of household must be **3.0 times monthly resident** paid portion of rental income less any concessions or incentives.
- If more than 1 applicant, at least 1 applicant must meet the Income/Credit Criteria and Applicants may qualify with combined income/rent/earnings ratio.
- If applicant's income is not sufficient, a guarantor may be required.

### EMPLOYMENT/JOB STABILITY (current and previous) \*\*

- If Applicant(s) have less than 6 months of employment history, a security deposit equal to 1/2 months' rent plus the standard security deposit or guarantor will be required.
- If retired or not employed, applicant must produce bank statements sufficient to meet minimum income requirements and pass income, credit and criminal criteria, and pay a security deposit equal to 1/2 months' rent plus the standard security deposit or provide a guarantor.
- If self-employed, applicant must produce bank statements sufficient to meet minimum income requirements or provide a guarantor.
- If a full-time student (minimum of 9 hours), must provide proof of school enrollment, and must provide a guarantor.

### CREDIT RATINGS (past 24 months) (Excluding student loans and medical accounts)

- An applicant with a Credit Risk Result of the following categories will be required to pay a security deposit equal to 1/2 months' rent plus the standard security deposit.
  - **No Established Credit, Minor Credit Risk, Moderate Credit Risk, High Credit Risk**
- Applicants with a Credit Risk of **Severe** will automatically be declined.
- If more than one applicant, at least one applicant must meet the Income/Credit Criteria.
- The presence of utility collection accounts within the last 24 months will result in a denial.
- Any bankruptcies in the previous 24 months must be discharged and a debtor's list presented .
- Foreclosure history in the past 24 months may be allowed with a security deposit equal to 1/2 months' rent plus the standard security deposit or guarantor so long as there is clean rental or no rental history since the filing.
- Any unresolved tax liens and/or any unpaid rental housing debts within the last 24 months will automatically be declined

### RENTAL HISTORY

- Previous rental history is not required. However, if you have rental history, positive residency history must be verified. Verification must be by apartment community or organization. It cannot be made by an individual unless proof of payments on a timely basis can be made.
- If a former landlord reference will not release reference for the applicant due to a lease violation, the application is automatically rejected.
- Balances owed to prior landlords/apartment communities within the last 36 months will automatically be denied.
- An eviction will result in automatic denial
- Mortgage - must be verifiable via credit report or formal written documentation of home ownership.

**GUARANTORS** - Guarantor must complete and sign a Lease Contract Guaranty. Guarantor must reside in the United States. Guarantors must not have any automatic rejections and need to qualify showing income of 5x monthly rent and have a Credit Risk of at least Moderate.

**REJECTED APPLICATIONS:** Our 3<sup>rd</sup> party reporting services will mail/email a written/electronic notification of the grounds for rejection within twenty-one (21) days of the determination to any rejected or ineligible applicant/household that completed the application process. This will include the specific reason for the denial. Rejection letters will include contact information for any third parties that provided the information on which the rejection was based. Denied applicants are eligible to apply again for reconsideration 60 (sixty) days after initial denial.

### CRIMINAL HISTORY

A criminal background check will be conducted for each applicant and occupant age 18 years or more. The application will be denied for any of the following reported criminal related reasons (including but not limited to conviction or probation) that have occurred within the timeline identified below prior to the application date regardless of the applicant's age at the time the offense was committed. All records are evaluated from the date of disposition.

This requirement does not constitute a guarantee or representation that residents or occupants currently residing in our community have not been convicted of or subject to deferred adjudication for a felony, certain misdemeanors or sex offenses requiring registration under applicable law; there may be residents or occupants that have resided in the community prior to this requirement going into effect; additionally, our ability to verify this information is limited to the information made available to us by our third party reporting services used. All criminal background checks are through state and federal public records.

**CRIMINAL HISTORY Cont.**

Application will be automatically denied for any of the following, felony or misdemeanor, regardless of time:

- All sex-related felonies
- Organized Crime
- Homicide
- Kidnapping
- Assault and Battery
- Terrorism-related offenses, including Weapons related II
- All VCAP offenses
- Applicant or occupant appears on the list of known terrorists and wanted fugitives as provided by the Office of Foreign Asset Control (OFAC), federal agencies to include the FBI or other state and local law enforcement agencies
- Felony DWI/DUI + or DUI/DWI Resulting in Bodily Harm

Application will be automatically denied for the following misdemeanors/felonies that have occurred within the designated number of years of the application date:

- Sex Misdemeanors 7
- Traffic Felony 7
- Theft by Check Felony 7 Felony; Misdemeanor 3
- Drug Offenses III-VII 10 Felony; Misdemeanor 3
- Weapon Related Offenses I 10 Felony; Misdemeanor 7
- Theft Larceny 10 Felony; Misdemeanor 3
- Property felonies 15
- Harassment 10 Felony; Misdemeanor-7
- Crimes against animals 10 Felony, Misdemeanor 3
- Cyber Crimes 10 Felony; Misdemeanor-7
- Fraud 10-Felony; Misdemeanor-7
- Arson 15-Felony; Misdemeanor-3
- Embezzlement 15-Felony; Misdemeanor-3
- Trespassing 15-Felony; Misdemeanor-3

Depending on the nature of the criminal related offense’s risk to resident safety and property, Management will use its discretion in considering an applicant whose criminal background check shows any felonious offenses not already listed above that have occurred within seven (7) years prior to the application date.

Depending on the nature of the criminal related offense’s risk to resident safety and property, Management will use its discretion in considering an applicant whose criminal background check shows any misdemeanor offenses not already listed above that have occurred within three (3) years prior to the application date.

Depending on the circumstances, applications may be rejected based on criminal records falling outside or beyond the timelines set forth above.

**OCCUPANCY GUIDELINES** - The maximum number of residents permitted to dwell in an apartment is 2 occupants per bedroom exclusive of 1 occupant under the age of 24 months in a unit that provides all occupants with more than 120 sq. ft. of usable floor area in a bedroom or other habitable room and 120 sq. ft. of usable floor area in a living room.

**ANIMALS** – Some properties do not allow pets. For those that do allow pets, a maximum of 2 pets is allowed, whose total combined weight is less than 40 lbs at maturity, per apartment are permitted. Dogs whose breed or dominant breed weight exceeds 40 pounds at maturity are not accepted. The following breeds or partial breeds are not permitted: Rottweilers, Pit bulls, Akitas, Dobermans, Chows, German shepherds and Australian shepherds. Exotic animals and reptiles are not accepted. Additional restrictions may apply. Guide, service, support and signal dogs are not considered pets and are permitted to reasonably accommodate a leaseholder or occupant with a disability. All animals must be photographed by management before approval. A pet deposit must be paid at time of move-in and monthly pet fees will be charged. Nothing in this section shall prevent management from requiring the removal from any property of any pet whose conduct or condition is duly determined to constitute a threat or nuisance to the other occupants of the property. No pet may be kept in violation of humane or health laws. Occupant shall be liable for any damage or injury caused by the pet(s) and shall pay management any costs related to such damages to the extent those costs exceed the pet deposit. Occupant further agrees to indemnify, hold harmless, and defend against liability, judgments, expense, or claims by third parties for damages or injuries caused by occupant’s pet(s) Qualified service animals are permitted and are not subject to the community’s policies regarding pet restrictions.

**APPLICATION FEE** – A non-refundable application fee will be charged to any applicant/occupant 18 years or older.

**WAITING LIST** - Applicants are encouraged to enroll on the waiting list when a desired or appropriate apartment is not available at the time of application. Applicants must complete an application and pay the appropriate fees. Applicants are selected from the waiting list based on a first come-first served basis as qualified for the available apartment.

**RENTER’S INSURANCE** – Renter’s Insurance is required prior to move in. You may sign up with our choice provider insurance program or provide your own renter’s insurance policy. If you choose to provide your own insurance, you must provide us with the Declaration page showing (1) Minimum of \$100,000 liability coverage (2) Our property named as additional interest, (3) Policy start and end dates covering your lease terms, (4) Policy #.

**PRIVACY POLICY FOR PERSONAL INFORMATION OF RENTAL APPLICANT AND RESIDENTS** - We are dedicated to protecting the privacy of your personal information, including your Social Security Number and other identifying or sensitive personal information. Our policy and procedures are designed to help ensure that your information is kept secure, and we work to follow all federal and state laws regarding the protection of your personal information. While no one can guarantee against identity theft or the misuse of personal information, protection the information you provide us in a high priority to our company and staff. If you have concerns about this issue, please feel free to share them with us.

**How Personal Information is collected:** You will be asked to furnish some personal information when you apply to rent from us. This information will be on the rental application form or other document that you provide to us or an apartment locator service, either on paper or electronically.

