



# The Spire

## Resident Selection Criteria Low Income Housing Programs

Effective Date: December 1, 2020

AHC Management has established the following guidelines and procedure for selecting and processing applicants.

The Spire, does business in accordance with all federal, state and local laws. We follow the Fair Housing and Equal Opportunity laws as well as Fair Housing and Civil Rights laws required when selecting residents for our communities. We do not discriminate against due to race, color, religion, sex, national origin, ancestry, age, familial status, marital status, sexual orientation, gender identity, or disability.

In determining eligibility we use the following guides:

- A. The Federal Register
- B. Federal Fair Housing Law
- C. State Fair Housing Law
- D. Local Fair Housing Law
- E. Low Income Housing Tax Credit Guidelines found in Section 42 IRC and other governing revenue rulings and procedures
- F. HUD Handbook 4350.3 Revision 1 Change 4 and other HUD guidance
- G. Federal Fair Credit Reporting Act and all other applicable state and local credit reporting laws

The criteria for resident selection will be made readily available to the public by contacting the leasing office. From time to time, this Resident Selection Criteria will be updated in order to comply with all changes to federal, state, local and program guidelines in place at The Spire. Any questions related to the criteria and policies regarding resident selection should be directed to the Community Manager.

### **Eligibility Requirements**

#### **Community Designation:**

The Spire is a family community. There are no restrictions on age or disability status at The Spire. A family can be made of or a single person or a group of people of any age, disability, or familial status in any combination.

#### **Age and Identification Requirements:**

Application for available apartments will be accepted with a valid government issued photo ID.

- A. Showing an apartment:



1. At least one person 18 years of age or older must be present and have a valid acceptable government issued photo ID. The identification will be recorded on the rental log but not copied. If a photo ID is not available, a brochure and other applicable leasing information will be given until the prospective applicant(s) return with an acceptable form of identification. Acceptable forms of ID are:
  - a. Driver's License
  - b. State Issued Identification Card
  - c. Student Photo Identification
  - d. Passport (from any country)
  - e. Work Visa
  - f. Resident Alien Card
  - g. Age of Majority Card
  - h. Military ID Card
- B. All applicants must be 18 years of age or older to apply for an apartment at The Spire. All adults 18 or older are required to be lease holders unless they qualify for the verified full time student exception.
- C. Renting an apartment all adults must have a valid official government issued photo ID. Some acceptable forms of ID are:
  - a. Driver's License
  - b. State Issued Identification Card
  - c. Student Photo Identification
  - d. Passport (from any country)
  - e. Work Visa
  - f. Resident Alien Card
  - g. Age of Majority Card
  - h. Military ID Card

### **Income Requirements:**

All households must meet initial income guidelines to be eligible for occupancy to The Spire. Income limits are set annually by the Department of Housing and Urban Development (HUD). These income limits are based on the Area Median Income (AMI) for the Washington DC Metropolitan Statistical Area (MSA).

- A. All sources of income and assets will be verified. The standard of verification and required documentation depends on the program in place at the property and the individual facts and circumstances of the individuals in the household.
- B. Once the anticipated gross annual income of the entire household is calculated, it will be compared to the current income limits set forth by HUD to determine eligibility.
- C. Income will be calculated in accordance with all programs in place for the unit the household is applying for in order to determine eligibility for all applicable programs. Ineligibility for any program will render the household ineligible for occupancy for that unit. If a unit that has different occupancy or eligibility standards is available, the applicant will be offered the option to transfer their application to this unit. Additional documentation may be required based on the standards of the program(s) in place for new apartment option.



## **Income Targeting:**

The Spire is dedicated to housing families at affordable rates at varying income levels. The Spire is targeting:

- 6 households at or below 30% AMI adjusted for family size\*
- 6 households at or below 40% AMI adjusted for family size\*
- 45 households at or below 50% AMI adjusted for family size
- 56 households at or below 60% AMI adjusted for family size

\*By referral by City of Alexandria DCHS only

If no units are available in the applicant's income level, they will be placed on a waitlist until such time that a unit that meets the applicant's income eligibility is available.

## **Preferences:**

First preference, up to 12 units, must be given applicants who are part of the developmentally disabled settlement population as referred by the Virginia Department of Behavioral Health and Development Services (DBHDS).

Preference shall be given to individuals and families with minor children.

Preference shall be given to applicants on the waiting list for housing maintained by the local Section 8 administrator.

## **Students:**

The Spire has multiple programs that have eligibility restrictions based on student status. All households must meet the student restrictions for all programs to remain eligible for occupancy. If the household does not meet all student requirements the household will no longer be eligible for occupancy.

According to the LIHTC program certain restrictions apply, including disallowing a household comprised of all full-time students, unless the student(s) is either

1. Receiving AFDC / TANF;
2. Previously in a foster care program under Part B or E of title IV of the Social Security Act;
3. Enrolled in a job training program under the Job Training Partnership Act;
4. Married and filing a joint tax return;
5. A single parent living with his/her minor child(ren) and such parent is not a dependent and whose child(ren) are not dependents of another individual other than a parent

## **Occupancy Standards**

A household should not be assigned to an apartment that is either too large or too small for the size of the family applying. As the family size changes, households will be required to transfer to the appropriate size apartment for the family size as the correct apartment size becomes available. Failure to comply with these occupancy standards could result in loss of tenancy.

Number of Bedrooms	Minimum Number of Occupants	Maximum Number of Occupants
1	1	2
2	1	4
3	2	6

AHC will do its best to work with residents and whenever possible will try and help them maintain housing at the community in which they live. When that is not possible, AHC will then attempt to assist residents with finding the appropriate size apartment at a sister AHC property. This is no guarantee that we will be able to accommodate everyone. Residents who need a larger or smaller apartment will be placed on a transfer waitlist. When the next unit is available, if the resident refuses to move they will be non-renewed at the end of their current lease term.

Any changes to this occupancy standard due to a reasonable accommodation must be properly documented and approved. Annual verification that this accommodation is still needed may be required at each annual recertification.

## Application Procedures

Applications are available online at [www.spireapts.com](http://www.spireapts.com). Once the application is completed and received in the leasing office, the date and time it is received will be recorded on the waiting list. This will establish priority for selection from the wait list. Paper applications may also be obtained at The Spire leasing office.

### Wait List Procedures:

The wait list will remain open at all times. Annually, households on the list will be contacted to determine if they are still interested. Anyone who identifies that they are no longer interested or feel they are no longer eligible will be removed from the wait list. Any household on the wait list that does not respond within 10 days or where it is determined that the contact information provided on the waitlist is no longer valid will be removed from the wait list.

When a household comes up on the waitlist, they may submit an application or pass for any reason. If they pass they will retain their place on the wait list. Any household that refuses a unit three (3) times will be removed from the wait list.

A household that is removed from the wait list for any reason can reapply for the wait list by completing a new application. Their position on the wait list will be based on the date and time of the new application.

If the property has no waitlist, applicants will be immediately contacted to proceed with their application.

### Wait List Priorities:

- A. Eligible residents residing in the community that are over or under housed receive priority over new applicants

- B. If a handicapped accessible unit is available, then the eligible household who needs the features of that unit will receive priority over all other applicants regardless of position on the waitlist
- C. If a household needs to transfer to another unit due to a reasonable accommodation or other medical need they will receive priority over new applicants.
- D. If a household needs a transfer to another unit on the property due to an accommodation based on the Violence Against Women Act (VAWA)
- E. Eligible residents who have requested a transfer to another unit for reasons other than previously listed
- F. If there are specific preferences required at a specific property (see Priorities section for details)
- G. All other applications will be processed according to the date and time received

### **Credit, Criminal, and Rental Screening**

All resident screenings are conducted by a third party screening company. All adult members of the household are required to complete screening for credit, criminal, and rental history. Any household member that does not meet the requirements of screening set forth for The Spire will be declined.

#### **Credit:**

All applications will be evaluated based on both real and statistical data which includes but is not limited to:

1. Collection records
2. Judgements
3. Bankruptcies (open bankruptcies are automatically declined)
4. Payment history
5. Outstanding debt
6. Foreclosures
7. Medical Debt and Student Loan Debt are not used in this scoring process.

Applicants can receive determinations based on their credit scoring ranging from Accept, Accept with Conditions, or reject. Accept with Conditions will require additional security deposit requirements up to and including 2 months rent as a security deposit.

**Owing any balance to a prior landlord is an automatic denial until the balance is paid in full and documentation is provided to The Spire Leasing Office.**

#### **Criminal:**

All applicants and approved live in aides are required to meet criminal screening criteria established for The Spire. Applicants will be rejected for any criminal history found that could affect the health or safety of any resident or member of The Spire staff. In addition, any criminal history that establishes a potential threat to an The Spire property or the property of residents or The Spire staff may be grounds to be declined residency at The Spire.

The Spire only considers convictions when making determinations regarding criminal status for residency. AHC does not decline for most misdemeanor offenses except some misdemeanors against persons. Most major felonies committed within the last five (5) to seven (7) years will result in a declined criminal screening result.

Some convictions will trigger an automatic decline for criminal screening.

1. Homicide
2. Requirement to register with a Lifetime Sex Offender Registry

### **Rental:**

An application will be rejected on the grounds of Unfavorable Rental History for any one of the following:

1. Three (3) or more late rental payment in the last 12 months
2. One (1) or more monetary judgements of \$1 or more within the last five (5) years
3. One (1) or more court ordered possession or forcible detainers within the last five (5) years

### **Affordability**

In order to ensure that residents do not become financially overburdened, AHC Management requires all applicants and residents transferring to another apartment must meet additional minimum income standards. AHC Management requires that 2.5 times the resident's portion of the rent does not exceed the resident's gross income. Income included in determination of affordability must be fully verified. Income that can only be verified by self-affidavits may not be used towards verifying affordability.

### **Guarantors:**

A household is at or below a 50% affordability factor and would qualify based on all other eligibility requirements except the affordability standard can provide an approved guarantor, they will be considered eligible. The guarantor must meet a minimum income to rent ratio of 20% in order to meet the income requirement to be a guarantor. They must also meet the guarantor screening requirements. See the Credit screening requirements in these criteria for details. The guarantor would also be required to sign a Guarantor's lease addendum agreeing to take legal responsibility for any rent not paid by the leaseholder(s). They will be required to remain guarantor on the lease until at lease renewal the leaseholder can demonstrate they meet the affordability requirement at the current lease renewal rate.

### **Disabilities**

AHC Management is committed to ensuring that all applicants are treated fairly. Furthermore, we take great care to ensure our policies and procedures afford individuals with disabilities equal access, benefits and inclusion at all of our communities. We do not discriminate against individuals with disabilities. If any individual with a disability requires an accommodation or modification, The Spire will provide a verified accommodation or modification which does not fundamentally alter the nature of the program in place at The Spire or unless the accommodation or modification creates both an undue financial and administrative burden to The Spire. In these cases, The Spire will offer comparable suggestions to meet the needs of the individual.



Reasonable accommodations are changes in policies and procedures that would be provided to a qualified person with a disability to benefit fully in their experience at The Spire. A reasonable modification is a structural change to either the apartment or common area to allow individuals with a disability full use and access to the community and their apartment. Reasonable Accommodations can be requested during the application process for applicants and future residents of The Spire in order to assist individuals with disabilities.

AHC Management fully adheres to the Section 504 of the Rehabilitation Act of 1973. If you need to contact AHC Management's 504 Coordinator regarding any disability related issue, please contact:

AHC Management  
Attn: Director of Compliance/504 Coordinator  
1501 Lee Highway  
Suite 303  
Arlington, VA 22209  
Email: [morrya.jones@ahcmgmt.com](mailto:morrya.jones@ahcmgmt.com)

### **Accessible Units:**

Households that occupy any apartment designated as an accessible unit who does not need the features of that unit must transfer to a unit that does not have the accessible features under the following circumstances. When the next applicant on the wait list or an existing resident requires the features of the unit **and** there is a comparable unit available for the resident to transfer into which they qualify for all programs. If there is no comparable unit that they qualify for, the resident will be allowed to remain in the accessible unit until such time that a suitable unit becomes available. Refusal to transfer to a comparable unit they qualify for will be considered non-compliance and grounds for termination of tenancy at the end of the current lease term.

### **Unit Transfers**

In-place residents who are in good standing have preference over new applicants when vacancies occur. For priority of transfers over accepting new applicants, see the Wait List section of this document. Existing residents must request a Unit Transfer with the leasing office. Once requested they will be placed on the Transfer Wait List. The Transfer Wait List is maintained to ensure that households who fit the criteria for transfer are served in a fair order.

If two or more adult household members reside in one apartment and one or more adults choose to apply for a separate apartment, they will be required to submit an application. The application will be reviewed for eligibility. If approved, the applicant(s) will be placed on the wait list in order of date and time in order of date and time applied. Preference will not be given in this situation.

All transfers must meet the guidelines of all program(s) in place at The Spire. Each transfer is evaluated for compliance on an individual basis and may require the household to qualify at the current move in income limit adjusted for family size. All transfers between projects or other communities will be processed as a new move in and subject to availability based on the community's wait list.



Transfers within the same building may be able to be completed using the initial qualification into that building. In some cases, for example when the household composition changes, the household will need to qualify under the criteria of a new household. Households that want to transfer from one building to the other must qualify as a new applicant, including but not limited to a new application fee, holding fee, security deposit, background screening and meet all initial eligibility requirements. Please see The Spire leasing office for more details on the criteria and procedures for transfers at The Spire.

## **Continuing Eligibility**

Income restricted units will be subject to annual recertification of household composition, income, assets, and student status. If at recertification the household no longer meets the criteria for program eligibility for:

### **Student Status:**

*For Tax Credit Programs-* A household that becomes a household comprised entirely of full time students who does not meet one the exceptions listed in the Students section of this selection criteria will be required to either vacate due to program ineligibility or transfer to a market rate unit (at current market rent) if one is available and the household meets the eligibility requirements for that unit.

*For Other Programs-* When one or more household members become an ineligible full time or part time student, subsidy will be terminated and the household will become responsible to pay market rent.

### **Over Income:**

Any household whose income exceeds the recertification income limit may be required to switch to a higher designation layer and pay the rents for the appropriate program. The household's new rent will become the lesser of 40% of their annual verified gross income or the current market rent based on the unit size and features. Annual certification may be required to determine rent until the household reaches apartment type's current advertised rent.

### **Failure to Recertify:**

Failure to comply with the annual recertification process will result in non-renewal of the resident's lease. The Spire is prohibited to renew a lease without a completed annual recertification.

### **Reasonability Test:**

Due to program guidelines, the income information provided must meet a test of reasonableness before it can be considered a valid annual recertification. The Internal Revenue Service (IRS), Virginia Housing Development Authority (VHDA), and Arlington County require that when the information presented does not pass a test of reasonableness, that additional information be requested until the income information meets acceptable standards based on the facts and circumstances of the household. Households that cannot meet these standards may be issued a notice to vacate on the grounds of being unable to determine eligibility.



## **Criminal Background:**

*Minors turning 18:* Household members that have turned 18 years of age after the prior recertification will need to pass a criminal background check. Any household member that does not pass the criminal screening will be required to vacate the unit at the end of their current lease term. If the individual who did not pass the criminal background screening does not vacate the apartment, they will be considered an unauthorized occupant and the entire household will be in violation of their lease.

*Transfers:* All transfers require criminal screening for all adults in the household as part of the transfer approval process. Any household member that does not pass the criminal screening will be required to vacate the unit at the end of their current lease term. If the individual who did not pass the criminal background screening does not vacate the apartment, they will be considered an unauthorized occupant and the entire household will be in violation of their lease. Change in household composition during the transfer process may change the procedure required to process the transfer. This could require different paperwork and procedures before the transfer can be approved. This is up to and including a complete requalification of paperwork. A change in household composition may ultimately make a household ineligible for transfer based on the individual household's facts and circumstances and the programs in place at the property.

## **No Original Household Members Remaining:**

If there is no original household member remaining in the unit due to transfer or any other reason, the remaining household members will need to qualify as a new household member. Any household's that do not qualify under the current move in standards will not be able to remain and will be issued a notice to vacate.

## **Violence Against Women Act (VAWA)**

The VAWA provides legal protections to victims of domestic violence, dating violence, or stalking. These protections prohibit owners/agents from denying assistance and from evicting if the asserted grounds for such action are an instance of domestic violence, dating violence, or stalking.

The Spire will respond to an incident of actual or threatened domestic violence, dating violence, or stalking that could potentially have an impact on a resident's participation in the housing program may request in writing that an individual complete, sign, and submit within 14 business days of the request, documentation of qualification under VAWA protections. The Spire may extend this time period at its discretion.

The Spire will work with the resident in making acceptable delivery arrangement such as inviting them into the office to pick up forms or making other discreet arrangements.

Alternatively, in lieu of the certification form or in addition to it, The Spire may accept:

- A. A federal, state, tribal, territorial or local police record or court record **or**
- B. Documentation signed and attested to by a professional (employee, agent, or volunteer of a victim service provider, an attorney, medical personnel, etc) from whom the victim has sought assistance in addressing domestic violence, dating violence, or stalking or the effects of the abuse.

The Spire will carefully evaluate abuse claims as to avoid proceeding with an eviction based on false or unsubstantiated accusations.

Applicants who feel that their application was denied due to VAWA related issues can appeal the screening denial. For more details on how to appeal this process please refer to the Denial of Applications section of this criteria. If you need to contact AHC Management's VAWA Coordinator regarding any VAWA related issue, please contact:

AHC Management  
Attn: Director of Compliance/VAWA Coordinator  
1501 Lee Highway  
Suite 303  
Arlington, VA 22209  
Email: [morrya.jones@ahcmgmt.com](mailto:morrya.jones@ahcmgmt.com)

## Denial of Application(s)

If an applicant disputes the accuracy of any information provided to the leasing office by the screening service, the applicant has 14 days to appeal in writing. The written appeal must be submitted to the Community Manager within the 14 day period. Include any documentation that supports your appeal with the written request for appeal. A response from management will be provided within 14 days either requesting additional information or providing a final determination. Once an application is denied, an apartment will no longer be held for the applicant(s). Submitting an appeal does not hold the apartment. If the appeal is approved and screening eligibility is accepted, it may be necessary to offer the applicant(s) another apartment if the one they previously applied for has been leased by another household. If no other comparable units are available, the household will return to their original place on the wait list.

If an applicant disputes an application due to income qualifications, student status or other program qualifications, they may submit an appeal in writing. This appeal must be submitted within 14 days of the notice the application has been declined. The written appeal must be submitted to the Director of Compliance for AHC Management. A response from management will be provided within 14 days either requesting additional information or providing a final determination. Appeals may be sent by mail or email to:

AHC Management  
Attn: Director of Compliance  
1501 Lee Highway  
Suite 303  
Arlington, VA 22209  
Email: [morrya.jones@ahcmgmt.com](mailto:morrya.jones@ahcmgmt.com)

Once an application is denied for any reason, an apartment will no longer be held for the applicant(s). If the appeal is approved and program eligibility is determined, it may be necessary to offer the applicant(s) another apartment if the one they previously applied for has been leased by another

household. If no other comparable units are available, the household will return to their original place on the wait list.

## **Modifications or Changes**

This Resident Selection Criteria will be reviewed from time to time. Any changes or updates to this criteria will be posted in The Spire leasing office and on The Spire website at [www.spireapts.com](http://www.spireapts.com). All applicants, households in the application process for an apartment, and current residents will be subject to the criteria in the current Resident Selection Criteria when it goes into effect. No one will be grandfathered in based on a prior Resident Selection Criteria. If you have any questions regarding the contents of this Resident Selection Criteria, you may contact The Spire Community Manager.

Copies of this Resident Selection Criteria are available to the public upon request at The Spire Leasing Office.

