

Resident Selection Criteria (FOR HUD SECTION 8 PROGRAM)

PURSUANT TO SECTION 504 OF THE REHABILITATION ACT OF 1973, THE FAIR HOUSING AMENDMENTS ACT OF 1988, AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, IT IS THE POLICY OF THIS COMMUNITY TO PROVIDE HOUSING ON AN EQUAL OPPORTUNITY BASIS. WE DO NOT DISCRIMINATE ON THE BASIS OF RACE, RELIGION, COLOR, SEX, FAMILIAL STATUS, NATIONAL ORIGIN OR DISABILITY.

Residents will be selected in accordance with the following:

1. An applicant may be eligible for assistance and occupancy ONLY IF:
 - a) The household's annual income does not exceed program income limits.
 - b) The appropriate size unit for the applicant's household is available within the community. See section titled Number of Occupants.
 - c) The unit for which the household is applying will be the household's only residence.
 - d) The household agrees to pay the rent required by the program under which they will be receiving assistance (if applicable).
 - e) At the time of admission, the applicant is not receiving assistance on another unit which will not be terminated at the time of admission.
 - f) The applicant provides social security numbers for all household members at least six years of age and older and proof of the numbers reported. If no social security number has been assigned to a particular household member, the applicant must sign a certification stating that no social security number has been assigned. When an applicant has a social security number, but does not have the required documentation, the applicant may submit the social security number and certify that the number is accurate, but that documentation could not be provided. An applicant will not be moved in to the community unless the required documentation is submitted. The applicant must provide social security number documentation within sixty (60) days from the date of this certification. The applicant may retain his or her place on the waiting list for the sixty (60) day period. After sixty (60) days, if the applicant has not been able to supply the social security number documentation, the applicant will be determined ineligible and removed from the waiting list. The community may extend this period for an additional sixty (60) days if the applicant is sixty-two (62) years old.
 - g) The applicant and all household members must meet HUD's requirements regarding restrictions on assistance to non-citizens by providing a signed Declaration and copies of eligibility documents, as applicable. A list of acceptable documents can be provided to the applicant upon request. Households with one or more eligible members and one or more ineligible members qualify for pro-rated assistance provided that all required immigration documentation has been submitted in a timely manner.
 - h) The applicant is capable of fulfilling the lease agreement with or without assistance. This community is a housing provider only and no supportive living services are provided that require licensing.
 - i) The head of household, co-head, spouse, and any adult household members eighteen (18) years of age or older in each applicant household must sign a Consent to the Release of Information prior to receiving assistance and annually thereafter (HUD 9887 & 9887a). All adult members must sign individual verification forms. The applicant shall provide birth certificates for all household members as requested.

- j) The applicant is not a student at an institution of higher learning; or if the applicant is a student at an institution of higher learning, the applicant meets one of the following exceptions:
- a. Is age 24 or older
 - b. Is a veteran
 - c. Is married
 - d. Has a dependent child
 - e. Is applying to reside with their parents in a Section 8 property **Note: Parents is defined as the biological or adoptive parents or guardians, such as grandparents, aunt/uncle, godparents, etc*
 - f. Is a student with a disability receiving Section 8 as of November 30, 2005

If none of the above criteria is met, both the student and the student's parents must meet the income requirements for eligibility or the student must demonstrate his/her independence from parents.

2. Applicants will then be evaluated based on the following:

- a) Present and Past Performance in Meeting Financial Obligations. Any application will be rejected for any of the following:**
- 1) Any one judgment, foreclosure, charge-off, collection, repossession, or open bankruptcy with a balance of \$100 or more that is less than three years old
 - 2) Any one personal discharged bankruptcy within the last twelve months (unless good credit references have been established since the bankruptcy).
 - 3) Any one credit obligation which has been or is four months or more delinquent within the last two years and has a balance of more than \$100.

**Consideration will be given to the applicant if it is proved that the credit history was beyond their control.

Other individuals may co-sign for any applicant who does not meet the above credit history requirements, in order to allow the applicant to qualify for occupancy. In addition to having a well established credit history, the co-signer must meet the above Resident Selection Criteria credit history requirements.

The lack of credit history will not automatically disqualify an applicant.

- b) Present and Past Housing References. Any one (1) of the following by any household member will be cause for applicant rejection:
- 1) Any one history that the applicant has "skipped" a previous residence.
 - 2) Any one "eviction" from a previous residence, including but not limited to, eviction from federally assisted housing for drug related criminal activity.
 - 3) Any four late payments of rent within a twelve month period from a current or previous residence.
 - 4) Any one report that the applicant, his/her household members or guests, were destructive to the apartment or common areas from a current or previous residence.
 - 5) Any one report that the applicant has or had poor housekeeping habits from a current or previous residence.
 - 6) Any one report that the applicant caused or was involved in disturbances from a current or previous residence.
 - 7) Any one report that the applicant did not abide by the rules and regulations from a current or previous residence.

c) Present and Past Housekeeping History. An appointment may be scheduled with the applicant at their current address if no credit or housing references are made available. The purpose of obtaining housekeeping history is to determine if the dwelling unit is being maintained in a decent, safe, and sanitary condition, and if any of the following conditions exist. Any application will be rejected for any one of the following:

- 1) Any unauthorized alteration to the dwelling unit which would create an unsafe condition, such as an insurance risk or a fire hazard.
- 2) Any unauthorized redecoration (painting or wallpapering) in the dwelling unit.
- 3) Any unauthorized use of the dwelling unit.
- 4) Any wall damage to the dwelling unit. Examples are: holes, punctures, graffiti, crayon, writing, coloring, etc., to any wall in the dwelling unit.
- 5) Any floor/carpet damage.
- 6) Any ceiling damage.
- 7) Any damage to fixtures (lights, appliances, plumbing, rental furniture).
- 8) Any damage to interior/exterior door, door jambs, door knobs, screens, windows. Examples are: holes, punctures, burst, broken, cracked, torn, missing, etc.
- 9) Poor housekeeping habits which constitute an unsanitary living condition (excessive accumulation of garbage or trash, dirty dishes and generally filthy).
- 10) Any obvious sign where maintenance is needed in a rented dwelling unit and the resident has neglected to notify the management.
- 11) Any gas driven machine or exterior cooking apparatus housed in the dwelling unit (motorcycles, lawn mowers, gas and charcoal grill, etc.).
- 12) Inadequate control and supervision of household members.
- 13) Any evidence of unauthorized person or persons living in the dwelling unit.

NOTE: "Damages" are defined as those which are above normal wear and tear caused or created by inhabitants, their household members, or guests.

d) Present and Past Character History. Any one (1) of the following by any household member or any other occupant will be cause for applicant rejection:

- 1) Any one conviction or adjudication other than an acquittal of a crime which involved bodily harm or molestation of a child.
- 2) Anyone who is subject to a registration requirement under a State sex offender registration program.
- 3) Any one conviction or adjudication other than an acquittal of any sex related crime.
- 4) Any one conviction or adjudication other than an acquittal of a felony within the past ten (10) years which involved injury to a person or property.
- 5) Any one conviction or adjudication other than an acquittal for a gang or weapon related incident within the past ten (10) years.
- 6) Any one conviction or adjudication other than an acquittal of a crime that was originally charged as a felony within the past ten (10) years.

- 7) Any one conviction or adjudication other than an acquittal involving illegal use or possession of any controlled or illegal substance within the past ten (10) years.
- 8) Any one conviction or adjudication other than an acquittal for the sale, distribution or manufacturing of any controlled or illegal substance.
- 9) Anyone who is currently engaging in the illegal use of a drug or is a current illegal abuser or addict of a controlled or illegal substance.
- 10) Anyone whose illegal use or pattern of illegal use of any controlled substance may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- 11) Anyone whose abuse or pattern of abuse of alcohol may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- 12) Anyone whose tenancy would constitute a threat to the health or safety of other individuals (including community management staff and Owner's employees) or whose tenancy would result in substantial physical damage to the property of others, or whose tenancy would interfere with the peaceful and quiet enjoyment of the premises by others, or whose behavioral patterns, habits or practices may be reasonably expected to have a detrimental effect on the residents of the community (examples include, but are not limited to: history of domestic violence, history of quarreling with neighbors, disturbing neighbors, etc.).
- 13) Anyone who has served a sentence of three (3) or more years and who has been released from prison or any other correctional facility within three (3) years from the date of the application.
- 14) Anyone who is fleeing to avoid prosecution, or custody, or confinement after conviction, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees, or that in the case of the State of New Jersey, is a high misdemeanor.

NOTE: Management reserves the right to require criminal background checks at each recertification. Management may do criminal background checks at recertification if in receipt of credible and verifiable information.

- e) Legal Age. The Head of household must have the capacity under state and local law to enter into a legally binding lease agreement, including being of legal age.
 - f) Misrepresentation of Information. Applicant rejection will result if, during the course of processing an application, it becomes evident that an applicant has falsified or otherwise misrepresented any facts about his/her current situation, history, or behavior in a manner that would effect eligibility, applicant selection criteria qualifications, allowances or rent. This provision shall not be applied to minor mistakes that produce no benefit to the applicant.
3. Number of Occupants:

Applicants will be housed in the unit size appropriate for their household. In accordance with HUD Handbook 4350.3 Chapter 3 Paragraph 22E, household members include, but are not limited to: all full-time family members; all anticipated children (children expected to be born to a pregnant woman, children in the process of being adopted, children whose custody is being obtained, foster children, children who are temporarily in a foster home who will return to the family, and children in joint custody arrangements); children who are away at school and who live at home during recesses; live-in aides; foster adults.

Refer to Unit Type Breakdown section of this Resident Selection Criteria for specific unit sizes in this community.

HOUSEHOLD WITH SPOUSE (MARRIAGE OR OPERATION OF LAW)

<u>Number of Bedrooms</u>	<u>Minimum # of Occupants</u>	<u>Maximum # of Occupants</u>
EFF	2	2
1	2	2
2	3	4
3	4	6
4	5	8

HOUSEHOLD WITHOUT SPOUSE

<u>Number of Bedrooms</u>	<u>Minimum # of Occupants</u>	<u>Maximum # of Occupants</u>
EFF	1	2
1	1	2
2	2	4
3	3	6
4	4	8

For households with or without a spouse, the number of occupants per bedroom may be adjusted with medical documentation.

In compliance with Section 504, a larger unit will be given to an applicant/resident as a reasonable accommodation upon verification of need.

At the applicant's request, they may be placed on the waiting list for more than one unit type for which they qualify.

4. All applicant's household members will be processed as one approval or denial for an apartment. If any one of the household members fails to meet the requirements of this Resident Selection Criteria, the application will be denied.

All applicants will be placed on the waiting list after initial screening in order of date and time of application.

5. Any adult member added to the Lease at anytime after initial move-in must also meet the requirements of the Resident Selection Criteria. This includes an adult child who is moving in with an elderly parent to aid in their care and well-being.
6. Live-in aides will be screened according to the Present and Past Housing References and Character History requirements listed in sections 2b and 2d above prior to being considered eligible to reside with an applicant or resident.
7. WAITING LIST SELECTION PREFERENCES-- In order to select those households most in need of housing, HUD and this community have established the following preference categories and statutory categories that shall serve as the basis for selecting residents from among applicants:

a) **Resident Transfers**

Resident transfers within the community will be added to the current waiting list and given priority over applicants on the waiting list.

Residents will also be given priority over waiting list applicants when allocating available Section 8 assistance slots.

In order to be eligible for a unit transfer, the resident must have been a resident in "good standing" for at least one year. In order to be qualified as such, the resident must meet the following criteria:

- No current outstanding balances owed for 60 days or more
- No confirmed complaints against the resident for disturbing the peace and quiet comfort of other neighbors and/or their guests
- Last unit inspection resulted in no findings of damage or undue wear and tear and no findings or unsafe or unsanitary conditions
- No major lease violations within the last year

The following are the only instances in which a transfer request will be approved for a resident in "good standing":

- Household is under-housed – not enough people for the bedroom size apartment
- Household is over-housed – too many people for the bedroom size apartment
- Unit destroyed due to no fault of the resident (i.e. fire, flood, tornado, etc.)
 - Should there be no vacant units available at the time the current resident's unit is destroyed the displaced current resident will be asked to reapply in order to be added to the waiting list. If there is an incident that displaces more than one resident; households will be placed in any vacant units available in order of the initial move-in date.

Current residents will also be considered for a unit transfer for:

- Reasonable accommodation (subject to proper verification)
- Medical Condition

A resident that has requested a transfer as part of a reasonable accommodation or due to a medical condition is not required to meet the requirement of being a resident in "good standing."

Should a resident request a transfer as part of a reasonable accommodation, the community will pay the cost of the physical move for the resident as long as doing so does not place an undue financial and administrative burden upon the community.

b) Mobility Impaired

Mobility impaired eligible families will be given priority **when units are specifically designated for their use**, subject to proper third (3rd) party verification (Verification of Need for Reasonable Accommodation/Unit with Special Features).

c) Income Targeting

HUD requires that Owners must make at least 40 percent of the assisted units, that become available in each year of the community's fiscal year, available for leasing to families whose income do not exceed 30 percent of the area median income ("extremely low-income") at time of admission.

An estimated number of move-outs will be prepared each year and the community will ensure that 40% of that estimated number of applicants will be admitted at equal to or less than 30% of the area median income as defined by HUD. Should the estimation prove inaccurate and the number of move-ins does not meet the 40% target, the next applicant who meets the income level requirement will be moved to the top of the list and admitted. This testing procedure will be applied to all applicants during the year and records regarding this procedure will be kept on an annual basis and in the rental office. The determination of compliance will be made annually and the documentation will be kept on file in the rental office.

d) Statutory Preferences

Statutory preferences required by law for specific HUD programs shall be given to applicants who have been displaced by government action or the President declaring a disaster and who have

provided verification from the appropriate form of government.

NOTE: Within each of the above listed groups, approved applicants will be housed based solely on the date and time of the application.

8. If an applicant is offered a unit and refuses it, they will remain on the waiting list but will be placed at the bottom of the list as of the date of the refusal.

If an applicant has been offered a housing unit twice and for other than a verified medical reason, the applicant has refused to take the unit offered, on the third such occasion the applicant will be removed from the waiting list. In this case, the applicant will have to re-apply.

On occasions, applicants will be sent an update letter from the Community requesting confirmation of their desire to remain the waiting list. If the applicant fails to respond in the time allotted to such a letter, they may be removed from the waiting list.

9. Should the wait for one or more unit size become excessive (exceed twelve (12) months), the community can, at its discretion, close the waiting list and no longer accept applications. When the waiting list is closed, the community will publish a notice to that effect in a publication likely to be read by potential applicants and will state the reasons for closing the waiting list. When the community reopens the waiting list, it will again publish a notice to that effect in a publication likely to be read by potential applicants (if possible, the same publication that the notice to close the waiting list was published should be used). This notification will be extensive and will state how to apply for an apartment and how applications will be added to the waiting list.
10. If, at the time of application, there is a waiting list for the unit size the applicant is applying for all screening must be completed in accordance with this criteria at the time of application. In addition, if at the time the applicant reaches the top of the waiting list they have been on the waiting list for more than 120 days, all information previously collected (including 9887, 9887A, and all screening in accordance with this criteria) should be redone.
11. Mitigating circumstances shall be considered for applicants with disabilities in accordance with Section 504.
12. In accordance with the Violence Against Women Act, this community will not deny housing or assistance to an applicant, who otherwise qualifies, because of the applicant's status as a victim of domestic violence, dating violence, or stalking. Similarly, criminal activity directly related to domestic violence, dating violence or stalking, engaged in by a member of the applicant/resident's household, any guest, or other person under the applicant/resident's control, shall not be cause for termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.

Rejection and/or Grievance Procedure: Management will follow the grievance procedure in compliance with requirements set forth in HUD Handbook 4350.3. When rejecting an application, management will:

- a) Provide notification in writing of reason(s) for rejection;
- b) Inform the applicant they have 14 days to request in writing a meeting to discuss the rejection;
- c) Participate through a representative in an informal meeting;
- d) Provide a written response of the final decision to applicant within five (5) days of meeting.

