
TENANT SELECTION PLAN FOR MH Strategies Family RAD II, PBV and Tax Credit

Blended Occupancy Community: This community is a blended occupancy community. The community participates in the Project Based Voucher (PBV) and the Low-Income Housing Tax Credit (LIHTC) Program.

IT IS THE POLICY OF ROYAL AMERICAN MANAGEMENT TO PROVIDE HOUSING ON EQUAL OPPORTUNITY BASIS. WE DO NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, RELIGION, SEX, FAMILIAL STATUS, DISABILITY, SEXUAL ORIENTATION, AND GENDER IDENTITY.

Policies to Comply with Section 504 of the Rehabilitation Act of 1973, 6b: The Fair Housing Act Amendments of 1988 and 6c: Title VI of the Civil Rights Act of 1964 Paragraph 4-4C.6a-c.

Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color or national origin in any program or activity receiving (HUD) federal financial assistance.

Section 504 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance.

WAITING LIST & UNIT TRANSFER SELECTION PRIORITIES

It is likely that there will be more applicants for housing than can be assisted. To select those families most in need of housing, HUD and Royal American Management have established the following priority, preferences and statutory categories that will be the basis of selecting residents from among all applicants:

1. Eligible Families with handicapped or disabled persons who need the features of a vacant assessable unit.
2. In house Emergency Transfers due to circumstances covered under VAWA (see note on last page)
3. Forty percent (40%) of all available (moved-out) units will be set aside for families whose total gross family income does not exceed 30% of the area median income as established by HUD. We will admit only extremely low-income families until the 40% target is met.
4. Statutory preferences required by law for HUD programs Section 236, 221d(4), 221d(3) and 221d(3) BMIR projects given to applicants who've been displaced by government action or the president declaring a disaster.
5. In-house mandatory transfers due to overcrowding or underutilization (management initiated), need for accessible unit due to medical condition/medical equipment and/or reasonable accommodations.
6. Assigning of Section 8 slots after initial lease period (partially assisted properties only).
7. Regular Applicant Waiting List - applying any preferences checked on the attached Tenant Selection Plan Coversheet over applicants who do not qualify for the applicable preference.
8. In-house transfers initiated per resident request, after initial 12 month lease term.

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

WAITING LIST & UNIT TRANSFER SELECTION PRIORITIES

The MHA Section 8 Administrative Plan determines the administration of the site waiting list from which all applicants are pulled and offered units at this community. For information on the waitlist policy, including the opening and closing of the waiting list and the selection of the applicants from the waiting list, how preferences are applied, procedures for organizing accessible units, please see the MHA Section 8 Administrative Plan.

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ELIGIBILITY (PROGRAM) CRITERIA

In the selection of applicants for admission, Eligibility Criteria have been established in accordance with **HUD guidelines**. All applicants will be screened carefully to include EIV Existing Tenant Search to verify current subsidy and the following eligibility standards will be applied:



1. **Provide Information:** All applicants must cooperate in completing the rental application and providing information necessary to determine their eligibility for HUD housing assistance.
2. **Income Limits:** Applicants must qualify under the income guidelines established by the Department of Housing and Urban Development. The current, applicable income limits will be posted in the management office.

In order to be **ELIGIBLE**, a household must meet these tests:

- a. The family's annual income must not exceed program **HUD income limits published annually based on household size;**

MAXIMUM ANNUAL INCOME FOR RENT RESTRICTED APARTMENT HOMES ONLY								
	1 person	2 people	3 people	4 people	5 people	6 people	7 people	8 people
60%	\$38,280	\$43,740	\$49,200	\$54,660	\$59,040	\$63,420	\$67,800	\$72,180

MAXIMUM RENTAL AMOUNT FOR RENT RESTRICTED APARTMENT HOMES ONLY				
	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
60%	\$38,280	\$43,740	\$49,200	\$54,660

3. **Occupancy Standards:** Applicants must meet the established occupancy standards. As a general policy, there should be a minimum of one person per bedroom and no more than two persons per bedroom. Management shall take into consideration mitigating circumstances in cases where applicants or residents have children or a verifiable need for a larger unit. The total number of persons per unit may be expanded if there are especially large bedrooms or additional rooms that reasonably can be use as sleeping areas. Any family placed in a unit size different than that defined in these Occupancy Standards, or if the household size expands or decreases during the lease, the resident shall agree to transfer to an appropriate size unit when one becomes available (in accordance with the Transfer Policy and Lease Addendum).
4. Dwelling units will be assigned per the following standards:

Minimum and Maximum Number of Persons Per unit Standard		
Number of Bedrooms	Minimum Persons/Unit	Maximum Persons/Unit
1 Bedrooms	1	2
2 Bedrooms	2	4
3 Bedrooms	3	6
4 Bedrooms	4	8

4. **Social Security Numbers:** All applicants must disclose and provide documentation of social security numbers for all household members prior to move in, with the following exceptions: 1) for applicants who were 62 and over as of 1/31/2010 and their initial determination was started prior to 1/31/2010 or 2) Child under the age of 6 added to the household within 6 months period prior to admission/assistance. (Must provide within 90 after MI or 180 with extension) or 3) noncitizens who do not claim to have eligible immigration status. Applicant who cannot provide documentation, other than the 3 exceptions listed above, will have ninety (90) days from the date they are first offered an available unit, to provide such documentation. After 90 days they will be removed from the waiting list. When adding a new household member who is under the age of 6, to an existing household, the tenant must disclose and provide verification of the SSN of the individual to be added within 90 days of adding the new member. An additional 90 day extension must be granted if delays are due to circumstances beyond the family's control.
5. **Birth Certificates:** Birth certificates must be provided for all household members, or comparable document
6. **U.S. Citizenship:** Applicants must declare U.S. Citizenship or submit evidence of eligible immigration status for each family member in accordance with Section 214 of the Housing and Community Development Act of 1980, as amended. Households that have no members with citizenship or eligible immigration status do not qualify for assistance. Pro-rated assistance is available to families whose households include at least one member with citizenship or eligible immigration status that has been verified through the INS.
7. **Criminal Activity:** Management's established policy is to reject all applications where the applicant or any



household member has engaged in certain criminal activity. Below activities are grounds for rejection:

- a. **Eviction for Drug Related Criminal Activity:** If the applicant or any household member has been evicted from federally assisted housing for drug related criminal activity in the last 3 years, the application will be rejected.
- b. **Illegal Drug Use:** If the applicant or any household member is currently engaged in illegal use of a drug OR shows a pattern of illegal use that may interfere with the health, safety, or right to peaceful enjoyment by other residents, the application will be rejected.
- c. **Alcohol Abuse:** If a determination is made that the applicant or any household member's abuse, or pattern of abuse, of alcohol interferes with the health, safety or right to peaceful enjoyment of the premises by other residents, the application will be rejected.
- d. **Sex Offenders:** If the applicant or any household member has a conviction, for any sexual offense, or any household member who is subject to a state sex offender lifetime registration requirement, the application will be rejected.

ACCEPTANCE CRITERIA

All applicants must cooperate in completing the rental pre-application/ application and provide information necessary to determine an acceptable credit, rental and criminal history. For acceptance, the applicant and all members of the household must demonstrate:

1. **Favorable Rental History for a period of 5 years:** A willingness and ability to:
 - a) conform to rules and regulations and a respect for the rights of others;
 - b) abide by the lease and house rules;
 - c) pay rent and utilities on time.
2. **Good Housekeeping:** Housekeeping habits at prior residences which did not adversely affect the health, safety, or welfare of other residents or cause damage to the apartment or community.
3. **Good Credit History:** A favorable history in meeting financial obligations on a timely basis; including rent, utility payments, loans, and credit.
4. **Criminal Record:** A history of the applicant, or any household member, which does not include any unacceptable criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents; any criminal activity that threatens the health, safety, or right to peaceful enjoyment of their residences by persons residing in the immediate vicinity of the premises; any criminal activity that would threaten the health or safety of any property management staff responsible for managing the premises.
5. **Reference Requirement:** In cases where there is a total lack of Rental **and** Credit History, applicants will be required to provide an acceptable Housing Provider Reference and at least two satisfactory Professional Reference Letters from persons other than family members. A Home Visit may be used to confirm the information received in the Housing Provider Reference.
6. **Student Eligibility Requirements:** "No section 8 assistance shall be provided to any individual who: Is enrolled as a student at an institution of higher education; Is under the age of 24; Is not a veteran of the United State military; Is unmarried; Does not have a dependent child; Is not a person with disabilities, as such term is defined in section 3(b)(3)(F) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive section 8 assistance." The above applies to all individuals enrolled as students at an institution of higher education unless the student is living with his or her parents who are applying for or receiving Section 8 assistance or is a person over the age of 23 with dependent children. **Note:** "Financial assistance, in excess of amounts received for tuition that an individual receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education is considered income for that individual, except for persons over the age of 23 with dependent children." A student who is otherwise eligible and meets screening requirement is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall be provided to any individual who is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate or other program leading to recognized education credential when the student:

"Is classified as a Vulnerable Youth; A student meets HUD's definition of a vulnerable you when:



- a. The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, Or a ward of the court at any time when the individual was 13 years of age or older;
- b. The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or a legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
- c. The Individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) or as unaccompanied, at risk of homelessness, and self-supporting, by:
 - a. A local educational agency homeless liaison designated pursuant to the McKinney-Vento Homeless Assistance Act.
 - b. The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
 - c. The director of a program funded under subtitle B of title N of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
 - d. A financial aid administrator
- d. The individual is a student for whom a financial administrator makes a documented determination of independence by reason of other unusual circumstances."

If a student does not meet the eligibility criteria above but can prove independence from parents, then the student would meet HUD's student eligibility criteria.

Establish Independence from Parents: Owners must use, and the student must meet, at a minimum **all** of the following criteria to be eligible for Section 8 assistance. The student must:

- a. Be of legal contract age under state law
- b. Have established a household one year prior to application – **OR** – meet DOE definition of an independent student &
- c. Not be claimed as dependent pursuant to IRS regulations d) obtain a certification of the amount of financial assistance provided by parents or legal guardian (even if no assistance is provided).

If an ineligible student applies for or is a member of an existing household receiving Section 8 Assistance, the assistance for the household will not be prorated, but terminated.

NOTE: An owner cannot evict or require an ineligible student to move from a unit as long as the student is in compliance with the terms of the lease.

REJECTION CRITERIA

Management reserves the right to reject applicants for admission if it is determined that the applicant or any member of the household falls within any one or more of the following categories:

1. **Misrepresentation:** Willful or serious misrepresentation in the application procedure for the apartment or certification process for any government assisted dwelling unit.
2. **Records of Disturbance of Neighbors, Destruction of Property or Other Disruptive or Dangerous Behavior:** Includes behavior or conduct which adversely affects the safety or welfare of other persons by physical violence, gross negligence or irresponsibility, which damages the equipment or premises in which the family resides, or which is disturbing or dangerous to neighbors or disrupts the quiet and peaceful enjoyment of their home and community life.
3. **Violent Behavior:** Includes evidence of acts of violence or threats of violence of any other conduct, which would constitute a danger or disruption to the peaceful occupancy of neighbors, or a safe work environment for staff.
4. **Non-compliance with Rental Agreement:** Includes evidence of any failure to comply with the terms of rental agreements at prior residences, such as failure to truthful information, recertify/renew as required, providing shelter to unauthorized persons, keeping pets, or other acts in violation of rules and regulations, to include untimely payment of rent and or previous evictions.
5. **Owing Prior Landlords:** Applicants who owe a balance to present or prior landlords will not be considered for admission until the account is paid in full and reasonable assurance is obtained that the causes for nonpayment of



rent or damages have changed sufficiently to enable the family to pay rent and other charges when due.

6. **Owing Utility Providers:** Applicants who owe a balance to the local utility provider for present or prior residences will not be considered for admission until the account is paid in full and reasonable assurance is obtained that the contributing causes for failure to pay the utility bill have changed sufficiently to enable the family to pay and maintain utilities in the name of the head of household.
7. **Unsanitary or Hazardous Housekeeping:** Includes generally creating any health or safety hazard through acts of neglect and causing or permitting any damage to or misuse of premises and equipment, if the family is responsible for such hazard, damage or misuse, including but limited to, causing or permitting infestation, foul odors or other problems injurious to other persons' health, welfare or enjoyment of the premises; depositing garbage improperly; failing to use in a reasonable and proper manner all utilities, facilities, services, appliances and equipment within the dwelling unit or failing to maintain them in a clean condition; or any other conduct or neglect which could result in health or safety problems or in damage to the premises.
8. **Credit History:** Applicant must meet the screening standards that have been established. A consistent, severe, or recent (past 5 years) history of deficiencies in overall credit or rent payment which indicate the family will be unable or would otherwise fail to pay when due rent for the apartment and other expenses relating to occupancy of the apartment.
9. **Criminal Activity:** Management will use an independent consumer reporting agency to search for public records of criminal convictions regarding any applicant 18 years or older (19 years of age or older for Alabama). If any conviction records are found by the independent consumer agency, those records will be compared to the following established acceptance/rejection policy to determine whether the applicant is eligible.

Any application will be rejected based on convictions for the following:

- a. **Felony involving the sale or manufacture of a controlled substance** if the conviction occurred within 7 years of application.
- b. **Violent or potentially violent felony offense**, if the conviction occurred within 10 years of application.
- c. **Violent misdemeanor offense**, if the conviction occurred within 5 years of the application.
- d. **Nonviolent felony offense**, including the use or possession of a controlled substance, if the conviction occurred within 5 years of application.

In situations where an application may be rejected based on a criminal conviction, Management will conduct an individualized assessment of the criminal record and its impact on the household's suitability for admission. The individualized assessment will include consideration of the following factors: (1) the seriousness of the criminal offense; (2) the relationship between the criminal offense and the safety and security of the residents, staff or property; (3) the length of time since the offense, with particular weight being given to significant periods of good behavior; (4) the age of the household member the time of the offense; (5) the number and nature of any other criminal convictions; (6) evidence of rehabilitation, such as employment, participation in a job training program, education, participation in a drug or alcohol treatment program, or recommendations from a parole or probation officer, employer, teacher, social worker or community leader and (7) tenancy supports or other risk mitigation services the applicant will receive during tenancy.

NOTE: Management requires criminal background checks at each Move In and monitors monthly. NO application will be rejected solely based on arrest records.

10. **Screening For Drug Abuse and Other Criminal Activity per HUD handbook 4350.3 Chapter 4:** Tenant Selection plans must contain standards for prohibiting admission of those who have engaged in drug related activity. Below are the required Owner established standard that prohibit admission of:
 - a. Any household containing a member(s) who was evicted in the last three years from federally assisted housing for drug-related criminal activity.
 - b. A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents
 - c. Any household member who is subject to a State sex offender lifetime registration requirements



- d. Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. The screening standards are based on behavior, not the condition of alcoholism or alcohol abuse.

- 11. **Unsatisfactory References:** In cases where there is a lack of Rental **and/or** Credit History, responses received from Housing Provider References and/or Professional References must show acceptable history and/or traits, otherwise the application will be rejected.
- 12. **Grievance Procedure:** Management will follow the grievance process in compliance with requirements set forth in the HUD Handbook 4350.3 when rejecting an application, management will:
 - a. provide notification in writing of reasons 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 determination to the applicant within 5 days of meeting.

Note- see grievance procedures posted in office for residents to view.

Per CFR 966.51(a)(2) "Except in cases involving evictions where state law provides due process in accordance with 24 CFR 966.54 any tenant with an individual dispute relative to a Housing Authority act or failure to act in accordance with the dwelling lease or adopted regulations, shall be given an informal hearing 24 CFR 966.54 and, if requested, a formal before a selective hearing (24 CFT 966.55) officer or hearing panel". The following exceptions are:

- a. Any criminal activity that threatens the health, safety, or rights to peaceful enjoyment of the premises or other tenants or employees of the Authority, or
- b. Any violent or drug-related criminal activity on or near such premises.

- 13. **Does not Meet Student Eligibility Requirements:**
- 14. **The household's annual income must not exceed program income limits.**
- 15. **Only Residence: The unit for which the family is applying for must be the only residence.**
- 16. **9887: The HOH, the spouse or other co-head, and all other adults (age 18 and older) in each applicant family must sign an Authorization for Release of information (HUD Form 9887 and 9887/A) prior to being accepted and every year thereafter.**
- 17. **Applicant must agree to pay rent required by the program under which the family will be receiving assistance.**
- 18. **The applicant does not meet eligibility requirements for a particular unit or property.**

Reasonable Accommodation: If the applicant requests an additional interview to determine if mitigating circumstances or reasonable accommodations would make it possible to accept his/her application, Management will do so based on Fair Housing and Section 504 of the Rehabilitation Act of 1973.

Domestic Violence VAWA: Admission to the program shall not be denied on the basis that the applicant is or has been a victim of domestic violence, dating violence, sexual assault or stalking, if the applicant otherwise qualified for assistance or admission. If this applies to you, you must inform management at the time of application and will have 14 business days from that date to complete HUD form 5382 and return it to management to confirm VAWA applies. If documentation is not received in the time frame allowed your application may be rejected. You will also receive HUD form 5380 Notice of Occupancy Rights under VAWA during the Move in process but may ask for one in advance. In addition, HUD form 5381 Emergency Transfer Plan for Victims covered under VAWA is available along with form 5383 Request for Emergency transfer under VAWA if you experience an incident covered under VAWA should you be offered and accept a unit at our community.

You must contact management immediately for such considerations/accommodations.

I have been given the opportunity to ask any questions that pertain to the Tenant Selection Plan. By signing below certify that we/I have read and received a copy of this plan.



Signature of Head of Household

Date

Signature of Co-head of Household

Date

