

Homes at Fountain Green Resident Selection Criteria

for Section 811 Project Rental Assistance Program
Effective November 13, 2020

Humphrey Management, managing agent for this community, has established the following Resident Selection Criteria to explain the requirements and policies used to process and select applications for residency. Everyone who applies will have their application evaluated in a fair, equal, and consistent manner that complies with federal, state, and local fair housing requirements.

These criteria were implemented with the goal to improve housing opportunities by ensuring that quality housing is available to qualified families; and create a welcoming, thriving community through effective resident selection.

Community Information

This is a family community consisting of 72 one, two, and three-bedroom apartments, serving qualified market rate and low-income households.

Three (3) one-bedroom and one (1) two-bedroom units at this community are reserved for households enrolled in the Section 811 Program.

Section 811 Program Eligibility

The following requirements must be met for an applicant household to be eligible for admission to the Section 811 Program. All Section 811 applicants must also meet the eligibility requirements of the Housing Credit program. In all cases where the guidelines of these two programs overlap and vary, the strictest rule prevails.

Income Requirement

The maximum qualifying annual household income must not exceed the limits set by the U.S. Department of Housing & Urban Development defined as Extremely Low (30% of area median income).

For the sake of determining the appropriate income limits based on household size management shall count all persons living in the unit except for live-in aides and guests, and shall count the following individuals who are not living in the unit: (a) children who are temporarily in a foster home who will return to the household; (b) children in joint custody arrangements who are present in the household 50% or more of the time; (c) children who are away at school, but who live with the family during school recesses; (d) unborn children of pregnant women; (e) children in the process of being adopted by an adult household member; (f) temporarily absent family members who are still considered household members; (g) family members in the hospital or rehabilitation facility for periods of limited or fixed duration; and (h) persons permanently confined to a hospital or nursing home*.

*An individual permanently confined to a nursing home or hospital may not be named as the household head, spouse, or co-head but may continue as a household member at the family's discretion. The family's decision on whether or not to include the permanently confined family member as a household member determines if that person's income will be counted.

- a. *Include* the individual as a household member and the income and allowable deductions related to the medical care of the permanently confined individual are counted; or
- b. *Exclude* the individual as a household member and the income and allowances based on the medical care of the permanently confined individual are not counted.

Social Security Number Requirement

Disclosure and verification of the full social security numbers (SSN) is required for all household members except:

- a. Individuals who do not contend eligible immigration status.
- b. Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.



Timeframe for Providing Social Security Numbers:

- a. Applicants currently on or applying to the waitlist: Applicants do not need to disclose or provide verification of a SSN for all non-exempt household members at the time of application and for placement on the waitlist. However, they must do so before they can be housed.
- b. Housing applicants from the waitlist: If all non-exempt household members have not disclosed and/or provided verification of their SSNs at the time a unit becomes available, the next eligible applicant must be offered the available unit.

The applicant who has not disclosed and/or provided verification of SSNs for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose and/or verify the SSNs. During this 90-day period, the applicant may, at its discretion, retain its place on the waitlist. After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant shall be determined ineligible and removed from the waitlist.

Adding a New Household Member under the Age of Six without an Assigned SSN:

Applicant households will be housed in the event the household adds a child under the age of 6 without an assigned SSN to the household within the 6-month period prior to the household's date of admission. The household would have 90 days from the date of move-in to provide documentation evidencing issuance of a SSN. Household's will be granted an extension of one additional 90-day period if it is determined that the resident's failure to comply is due to circumstances that could not have been foreseen and were outside the control of the resident (delay in processing by SSA, natural disaster, fire, death in family, etc.) Failure to provide the documentation of SSN within the time granted will result in the household being subject to termination of tenancy.

Sole Residency Requirement

A household will only be eligible for assistance if the unit will be the family's only residence. Residents must not receive assistance for two units at the same time, known as dual subsidy.

This prohibition does not prevent a person who is currently receiving assistance from applying for an assisted unit at another community. The assisted residency in the unit being vacated must end the day before the subsidy begins in the new unit.

Consent & Release Forms Requirement

All adult members of the household must sign the required HUD Consent Forms (HUD 9887/9887-A), regardless of whether they report income. These forms must be signed prior to move-in, and annually at recertification time.

Student Eligibility Requirement

Student eligibility for the Section 811 program will be determined at move-in, annual recertification, initial certifications, and at the time of an interim recertification if one of the changes reported is that a household member is enrolled as a student.

The student must meet all of the following criteria to be eligible. The student must:

1. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy; **OR** meet the US Department of Education's definition of an independent student.
2. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
3. Obtain certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided by the parents/guardians.

The full amount of financial assistance paid directly to the student or to the educational institution and amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under federal work-study programs or under the Bureau of Indian Affairs student assistance programs, are excluded from annual income.

Housing Credit Program Eligibility

The following requirements must be met for an applicant household to be eligible for admission to the Housing Credit program.

During the first twelve months following initial occupancy residents are not permitted to add new adult members to the household. However, during the first twelve months following initial occupancy they may elect to apply as a new household

for consideration of the addition of new adult members. Approval of the new household is subject to certification of eligibility for all funding programs governing the resident's unit.

In the event that all original qualifying household members move-out and there are remaining household members (members added after initial move-in) such household members must income qualify and meet any other eligibility criteria in order to remain in the unit.

Student Eligibility Requirement

Households made up entirely of full-time students are not eligible to live in units receiving housing credits. However, there are five exceptions to the full-time student restriction that would make such households eligible.

There is no grandfathering of eligibility because the resident was not a student when they moved in and later became one. For this reason, resident student status must be re-verified at annual certifications to confirm continuing eligibility of the household.

Who is considered a full-time student:

A full-time student is defined as any individual who (1) has been or will be a full-time student during any part of five calendar months during the current or upcoming calendar year, (2) at a regular educational institution with regular facilities, and (3) who also meets all the institution's requirements for full-time student status.

- Students enrolled in on-the-job training courses or pursuing their GED are **not** considered full-time students for the purpose of eligibility.
- Students attending elementary, middle, or high school **are** considered full-time students.
- Students attending college, university, technical, trade, mechanical or online school **are** considered full-time students **if** the school defines them as full-time students **and** they will be attending during any part of five (5) months out of the current or upcoming calendar year (months need not be full or consecutive).

Applicants are considered full-time students if the person had been a full-time student for 5 months of the calendar year, even if they had graduated prior to applying for an apartment.

What are the exceptions to the full-time student restriction:

Full-time student households that are income eligible and satisfy one or more of the following conditions can be considered eligible residents:

- All adult household members are:
 - 1) Single parents who are not listed as dependents on the tax returns of another individual; their child(ren) may be claimed by the absent parent but cannot be listed as a dependent on the tax returns of any other individual; or
 - 2) Married and eligible to file a joint tax return; or
- At least one member of the household:
 - 3) Receives TANF/TCA benefits or other assistance under Title IV of the Social Security Act; or
 - 4) Was previously in foster care, such as Child Welfare Services, or a state foster care or state transitional independent living program; or
 - 5) Is enrolled in a job training program receiving assistance under the Job Training Partnership Act, or similar federal, state or local laws.

Occupancy Standards

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

Management shall apply these occupancy standards before assigning the household to a unit, and when there is a change in household size to determine if the household needs to transfer to another unit.

Application Process

Applications will be obtained through the Maryland Department of Disabilities (MDOD) for all Section 811 units. The Maryland Department of Disabilities will maintain a waiting list and identify applicants for referral to the community in accordance with the *Section 811 Project Rental Assistance Program Referral and Tenant Selection Plan* (Tenant Selection Plan). A copy of the Tenant Selection Plan is available at:

All applications for Section 811 units will be processed by the community and the Department of Disabilities in accordance with the program Tenant Selection Plan and this document.

Applicants must be at least 18 years old to submit an application. Applicant households must submit a single application executed by all adults or emancipated minors in the household. Emancipated minors are considered adults in the application of our policies and procedures. All adult applicants, including those wanting to be added to existing households, are required to complete an application packet and consent to the release of information necessary to verify all income, assets, household characteristics and circumstances that affect eligibility. This information will be verified by management in compliance with the Low-Income Housing Tax Credit Program and regulations contained in the HUD Handbook 4350.3.

Required Documentation

This documentation is not required to submit an application, however, must be submitted before the applicant household can move into a unit. Management will not accept photocopies, or documents that appear fraudulent or altered. This documentation must be the original, which management will photocopy. Management will store the copies in the applicant's file.

For Certification Purposes:

- Social Security Cards for all household members.
- Certified Birth Certificates for all household members.
 - Please note short form or birth cards are not acceptable alternatives.
- All adult household members must sign the HUD consent forms.
- Verification of income from all sources: wages, social security, disability, workers compensation, unemployment, pensions, child support, public assistance, etc.
 - Contact information for employers, or other income sources; and/or eight current, consecutive paystubs; current benefit/award letters; etc.
- Verification of all household assets:
 - Financial Institution contact information; and/or bank/account statements; real estate records, etc.
- Verification of student status:
 - School contact information; and/or school records.
- Verification of custody* of minor household members:
 - Birth Certificates; court order; tax returns; school, doctor's office, day care records; etc.
 - *Please note legal custody is not required. Management is only verifying residency of intended household members.
- Verification of household expenses at the household's discretion.
- Verification of any other information provided by the household relevant to the funding program certification.

For Identification Purposes:

- Driver's License or other forms of Photo ID for all adult household members.
- Verification of any other information provided by the household relevant to the screening criteria.

HUD's Enterprise Income Verification (EIV)

EIV Existing Tenant Search

Management will screen applicants through HUD's Enterprise Income Verification System (EIV) existing tenant database as part of the screening process to determine if any applicant household members are currently residing at another Multifamily Housing or Public and Indian Housing (PIH) location. Management may need to follow up with an applicant's current housing provider to coordinate move-out and move-in dates.

Applicants Moving from One Subsidized Community to Another

Applicants must coordinate their move-out and move-in dates, so that they are not receiving assistance in two units at the same time. Applicants should provide their current housing provider with a proper move-out notice in writing and request a written receipt or acknowledgement. The move-out date of the first unit must be at least the day prior to the move-in date to this community.

Applicants who are not formally moved out of their current subsidized unit at the time they move into a subsidized unit within this community will have their subsidy terminated. Such applicants will be responsible for paying market rent for any days in which they are receiving subsidy at the first location. Subsidy may only be reinstated after confirmation of the formal move-out from the first location.

Use of EIV during Move-in Certification Process

Within 90 days following transmission of the move-in HUD form 50059 to TRACS management will utilize EIV to verify all income information obtained from the applicant during the move-in certification process. EIV accesses the National Directory of New Hires database which contains income information that has been reported through various State and Federal agencies. This information includes W-4 new hires, wages, and unemployment benefits. EIV also accesses the Social Security Administration database which includes information on all of the Social Security benefits programs.

Annual Recertifications & Interim Reporting Requirement

Residents receiving subsidy must complete the certification process annually and are required to report certain changes in factors which effect rent between regularly scheduled recertifications. More detailed information regarding these requirements can be found in paragraph 9 and 10 of the HUD Model Lease. Management will utilize EIV to verify proper reporting of income for all annual and interim recertifications.

Applicant Screening Criteria

Disclosure & Verification Criteria

As part of the screening process, any answers or documentation provided by an applicant as part of the application are subject to verification. Failure to disclose any information and/or answer all questions in the application or attachments to the application, fully and truthfully, may constitute grounds for denial or rejection of the application.

All income must be verifiable independent of the applicant. Self-employed applicants must provide acceptable proof of income (e.g. income tax returns or accountant letter). Income from assets will be calculated and used in the overall household income determination.

Credit History Criteria

Third party screening for credit and rental history will be done for all adult household members Any household that does not meet the rental scoring system used by a third-party screening company will be declined.

All applications will be evaluated on a rental scoring which is based on both real and statistical data. This data includes, but is not limited to: (1) Payment history; (2) Quantity and type of credit accounts (Credit cards, car loans, mortgages, etc.); (3) Outstanding debt; (4) Collection records; (5) Public records (Civil judgements, bankruptcies, evictions, etc.); (6) New credit inquiries within the last two (2) years; (7) Medical collections are excluded and will not decrease your rental scoring.

Money due to any previous landlord can result in an automatic rejection of the application regardless of any other criteria.

The rental scoring determination is as follows:

- 533 and above Accept
- 532 and below Decline- See the Section on Rejections of Applicant(s) for the Appeal Procedure
- No credit or not enough credit to generate a score will receive a recommendation of Refer from the third-party screening company. This rating requires Regional Manager approval.

Residential History Criteria

An application may be rejected for one (1) of the following reported on any adult applicant:

1. One (1) eviction from a previous housing unit within the last three (3) years.
2. Three (3) or more late payments of rent within the last six (6) month period.
3. Landlord references are verified for the previous 3 years (36 months). If any Landlord reference is returned to us wherein the previous landlord has signed that the applicant exhibited the following behavior:
 - a. Housekeeping issues
 - b. 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 which is disturbing or dangerous to neighbors or disrupts family and community life.
 - c. Non-compliance with Lease Agreements - includes but not limited to evidence of any failure to comply with the terms of lease agreements on prior residences, such as providing shelter to unauthorized persons, failure to comply with recertification process, keeping of pets or other acts in violation of rules and regulations, painting or decorating without permission of owner, etc.

4. Consideration will be given to the applicant if it is proved (documentation may be required) that the aforementioned rental history was beyond the control of the applicant. Examples would be: reduction in labor force, illness, extremely high medical bills, divorce, etc.

Criminal History Criteria

Every adult applicant is required to sign a consent form allowing all relevant criminal information to be released. Applications will be rejected for any history found that could affect the health or safety of any resident or if any of the following are reported:

1. Any household member(s) is subject to a state sex offender lifetime registration requirement (if allowable by state).
2. Any household member(s) has been convicted of any violent criminal activity.
3. Any household member(s) has one conviction of a felony or misdemeanor against persons that has occurred in the past 7 years or in which the scheduled end of sentence occurred within the past 7 years.
4. Destruction of property or any other offenses that pose a threat to the well-being and safety of our residents, employees, or community.
5. Any household containing a member(s) who was evicted in the last seven years from a Federally assisted housing community for drug-related criminal activity unless the member(s) has completed an approved, supervised drug rehabilitation or the member no longer resides in the household.

Rejection of Applicants

Applications may be rejected at the time of receipt or after the household has been placed on the waitlist(s) for the following reasons:

- The applicant no longer meets the eligibility requirements for the community or program(s);
- The applicant does not meet the community's applicant screening criteria;

Management will promptly notify the applicant in writing of their decision to reject the application. The notice will specify why management is rejecting the application and give the applicant 14 days to contact management in writing or to request an informal meeting to discuss the application denial. Any meeting with the applicant or review of the applicant's written response will be conducted by a representative of management who did not participate in the decision to reject the applicant. Applicants with a disability have the right to request reasonable accommodations to participate in the informal hearing process.

- A. If the applicant fails to respond to the notice of Application Rejection within 14 days the decision will be considered final and no further correspondence will be sent.
- B. If the applicant does respond, a notice of final determination regarding the application will be sent within five business days of receipt of the applicant's correspondence or the informal meeting.

If an applicant disputes the accuracy of any information provided to the management office by a screening service or credit reporting agency, the applicant may contact the screening company that supplied the information within 60 days of the denial to obtain a copy of the screening results. The name and address of the screening company and a reference number will be provided in the denial letter.

Management may consider extenuating circumstances including requests for reasonable accommodations during the screening process or, if applicable, before or during the meeting to discuss the rejection notice.

Transfer Policy

Unit transfers are offered for certified medical reasons or accessibility. Transfers will be coordinated through the Maryland Department of Disabilities. Residents requesting a transfer will submit a written request to the management office and to the Maryland Department of Disabilities. Transfer requirements must be met prior to a transfer being approved. These requirements are contained in the *Section 811 Project Rental Assistance Program Referral and Tenant Selection Plan* available at:

<https://dhcd.maryland.gov/HousingDevelopment/Pages/section811/Section811.aspx>.

Management will maintain a transfer list.

Civil Rights Protections

It is the policy of Management to comply with current and future legislation protecting the rights of applicants, residents, and staff, including but not limited to:

- Section 504 of the Rehabilitation Act of 1973
- Title IV of the Civil Rights Act of 1964
- Fair Housing Amendment Act of 1988

Fair Housing

Humphrey Management will follow and abide by the Fair Housing and Equal Opportunity Laws and any other Fair Housing and Civil Rights Laws in effect in the intake and processing of applications and selecting residents.

We will not discriminate against any person on the basis of the following protected classes:

Federal: Race, Color, National Origin, Religion, Sex, Disability, Familial Status

Maryland: Includes all federal protected classes listed above plus: Marital Status, Sexual Orientation, Gender Identity

Harford County: Includes all federal and state protected classes listed above plus: Age (over 40), Creed, Occupation, Personal Appearance, Political Opinion

Disability & Reasonable Accommodations

Management will utilize the Telecommunications Relay Services accessed by dialing 711 to communicate with persons with hearing or speech disability. Management will conduct in person interviews for any applicant or resident needing assistance with the application process.

Management will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunities for all. In accordance with Section 504, management will make reasonable accommodations for individuals with disabilities (applicants or residents). Such accommodations may include a change in the method of administering policies, procedures, or services.

In addition, management may perform modifications to the dwelling or common areas where such modifications would be necessary to afford full access for qualified individuals with disabilities.

A person with a disability may request a reasonable accommodation at any time during the application process or residency in writing, orally, or by any other equally effective means of communication. Requests for accommodations should be submitted to the Community Manager.

Upon receipt, management shall review the request, and if necessary, shall require the resident to provide additional documentation or meet with management to discuss the request. Provided the resident has submitted all necessary documentation and complied with management requests, a final written determination shall be issued within thirty (30) days after receipt of the resident's initial request.

If an individual with a disability requires an accommodation or modification, Management will honor the request unless doing so would result in:

- (a) A violation of State and/or federal law;
- (b) A fundamental alteration in the nature of the program;
- (c) An undue financial and administrative burden on the Owner or Management Agent;
- (d) A structurally infeasible alteration; or
- (e) An alteration requiring the removal or alteration of a load-bearing structural member.

In such cases, Management will offer other suggestions that would not result in the circumstances described above.

The applicant or resident may file an appeal to a denial of a request for a reasonable accommodation to Management's ADA/504 Coordinator via email or mail:

Ryan Tretter
Director of Compliance

Email: reasonableaccommodations@hrehllc.com

Mail: Humphrey Management
Attn: Ryan Tretter, 504 Coordinator
10220 Old Columbia Road, Suite M
Columbia, MD 21046

Accessible Units

This community has eleven (11) accessible units set aside for persons who need the accessibility features of the units.

When an accessible unit is available for an 811 applicant, eligible 811 households that need the accessibility features of that unit will receive priority over other applicants.

Households who indicate a need for an accessible unit may be offered a standard unit if an accessible unit is not available when they reach the top of the MDOD waitlist. The household will be given the opportunity to decide whether the standard unit meets their needs. The applicant may decide to accept a standard unit and request modification to the unit as a reasonable accommodation.

Management shall require a resident to transfer when the unit is equipped with accessibility features that the occupying household does not need, and a resident or applicant has been identified who does need the accessibility features of the unit.

Accessible units will be held for 30 days during lease up if an applicant requiring the features of the unit is not located. If after this 30-day period an eligible household requiring the accessible features of the unit is not found, the unit may be rented to an otherwise qualified household.

VAWA Protections for Victims of Domestic Violence, Dating Violence, Stalking or Sexual Assault

The Violence Against Women Act (VAWA) provides that criminal activity directly relating to domestic violence, dating violence, stalking or sexual assault engaged in by a member of a resident's household or any guest or other person under the resident's control, shall not be cause for being denied housing, termination of assistance, or occupancy rights if the resident or an immediate member of the resident's family is the victim or the threatened victim of that abuse. VAWA also provides that an incident(s) of actual or threatened domestic violence dating violence, stalking, or sexual assault will not be construed as serious or repeated violations of the lease by the victim (or threatened victim) and will not be "good cause" for the termination of the assistance, tenancy, or occupancy rights of a victim of such violence.

Management utilizes form *HUD-5382* to certify that a person is a victim of domestic violence, dating violence, stalking or sexual assault. In lieu of a certification, a resident may provide: A federal, State, tribal territorial, or local police record or court record; Documentation signed and attested to by an employee, agent or volunteer of a victim service provider, an attorney or a medical professional, from which the victim has sought assistance in addressing domestic violence, dating violence, stalking, sexual assault or the effects of abuse.

Management is mindful that the delivery of the certification form to the resident in response to an incident via mail may place the victim at risk. Therefore, management may require that the resident come into the office to pick up the certification form and will work with residents to make delivery arrangements that do not place the resident at risk.

If an individual does not provide the form *HUD-5382* or the information that may be provided in lieu of the certification by the 14th business day (or any approved extension), none of the VAWA protections afforded to the victim of domestic violence, dating violence, stalking or sexual assault will apply. However, in certain circumstances, at the discretion of Management, assistance may be provided to an individual based solely upon the individual's statement or other corroborating evidence.

NOTE: Any household containing a member with a demonstrated history of committing domestic violence, dating violence, stalking and/or sexual assault must exclude that member from the household to be considered for residency.

Limited English Proficiency

Management utilizes Telelanguage Interpretation Services to provide access to services for those individuals with Limited English Proficiency.

Modification of Resident Selection Criteria

These criteria will be posted in the management office and made available for applicants to review. It will be updated periodically in accordance with changes implemented in federal and state guides. Any questions pertaining to these

selection criteria should be directed to the Community Manager or, for the requirements for Section 811, Christina Bolyard with Maryland Department of Disabilities (MDOD) at Christina.Bolyard@maryland.gov or 410-767-3647.

Page 10 contains an acknowledgement of receipt.

I have received a copy of the Resident Selection Criteria for Homes at Fountain Green:

_____ <i>Signature</i>	_____ <i>Date</i>
_____ <i>Signature</i>	_____ <i>Date</i>
_____ <i>Signature</i>	_____ <i>Date</i>
_____ <i>Signature</i>	_____ <i>Date</i>
_____ <i>Signature</i>	_____ <i>Date</i>



This community and its Owner Agent does not discriminate on the basis of disability status in the admission or access to, or treatment, or employment in, its federally assisted programs and activities.

**We do business in accordance with Federal Fair Housing Law
(Fair Housing Amendments Act of 1988)**