

EXHIBIT “B”

RESIDENT SELECTION PLAN

RENAISSANCE ROW APARTMENTS

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PROJECT INFORMATION

| | |
|----------------------|---------------------------------|
| Project Name | Renaissance Row |
| Project Contact Name | Jennifer Hayward |
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THE PURPOSE OF THE RESIDENT SELECTION PLAN

This Resident Selection Plan has been produced by Pennrose Management Company (the “Agent”), the property management agent for Renaissance Row (the “Project”). The Resident Selection Plan helps to ensure that applicants to the Project are selected for occupancy in accordance with established management policies and the requirements of the federal low-income housing tax credit program. Please contact the management office if you need help understanding this document.

This document is an exhibit to, and should be read in conjunction with, the Management Plan produced by the Agent for the Project. Capitalized terms that are used but not defined in this Resident Selection Plan shall have the meaning given to them in the Management Plan.

FAIR HOUSING LAW AND DISABILITY

The Agent is committed to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the country. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status, national origin, sexual orientation or gender identity. Specifically, the Agent complies with the federal laws described in this Section.

A. Fair Housing Act

The Fair Housing Act prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability, and familial status.

B. Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on the presence of a disability in all programs or activities operated by recipients of federal financial assistance. Although Section 504 often overlaps with the disability discrimination prohibitions included in the Fair Housing Act, it differs in that it also imposes broader affirmative obligations on the Agent to make their programs, as a whole, accessible to persons with disabilities.

C. Coordinating Efforts to Comply with Section 504 Requirements

The Agent has designated a person to address questions or requests regarding the specific needs of residents and applicants with disabilities. This person is referred to as the Section 504 Coordinator.

| | |
|----------------------------------|--|
| Name of Section 504 Coordinator: | Kathi Garrone |
| Address: | 1301 N. 31 st Street Philadelphia, PA 19121 |
| Phone Number: | 267-386-8600 |
| TDD/TTY Number: | 711 Voice Relay |

D. Requests for Reasonable Accommodation or Modification

In accordance with the Fair Housing Act and Section 504 of the Rehabilitation Act, the Agent will make reasonable accommodations or modifications for individuals with disabilities (applicants or residents) unless these modifications would change the fundamental nature of the housing program or result in undue financial and administrative burden. Please see Appendix A for additional information, as well as Section VII below for verification procedures.

OVERVIEW OF APPLICATION PROCESS

E. Procedures for Taking Applications

The Agent will accept and process applications for all units, in accordance with LIHTC, Requirements. The Agent will make a reasonable accommodation to assist in the application process if the applicant or any member of the applicant household is disabled.

Upon request, the Agent will provide interested parties with a copy of the application package.

The person who is indicated as the head-of-household must execute and sign all documents that are included in the application package. Before completing or executing any forms, additional copies should be made for all adult household members and in some cases for minors who will live in the unit.

All adult applicants must complete the application package as instructed.

Applicants must provide a government issued photo ID - used for verifying the identity of all applicants - to accompany applications. In some cases, and when appropriate, this ID may also be used to verify age and citizen/non-citizen eligibility status. If the applicant is not able to visit the site, alternative means of verifying identity, such as Skype, may be utilized.

Applicants must provide a birth certificate or other documentation that can be used to verify age, citizen/non-citizen eligibility status and relationship to other household members.

All applications can be submitted on the Project site at the property management office. The Agent will accept applications via mail. The Agent will also accept the application in an equally effective format, as a reasonable accommodation, if there is the presence of a disability.

All documents in the application package must be **completed in full**, signed and dated in order to be accepted. Applicants will not be added to the waiting list until all application forms have been properly completed and signed as appropriate. Incomplete application packages will be returned.

F. Live-in Aide Procedure

Applicants should notify management office staff if the household plans to include a live-in aide. The live-in aide is not required to complete the same application forms but must complete the Live-in Aide Questionnaire and screening and other O/A verifications that are required.

The live-in aide has no rights to the unit and will be required to relinquish possession of the unit within a reasonable time as stipulated by the Agent. The live-in aide will be required to sign an acknowledgement the live-in aide has no right of residency or occupancy if the resident moves out for any reason including death.

G. Consent to Verification

All adult members of an applicant household must sign consent forms and, as necessary, verification documents, so that the Agent can verify eligibility and screening criteria, relating to income and other factors (e.g., disability status). Consent and verification forms protect the rights and privacy of residents and applicants by allowing them to have control over any information collected about them. Each household member age 18 and older and each household head and spouse regardless of age must sign the resident release and consent form regardless of whether they report income.

If the applicant or any adult member of the applicant's household does not sign and submit the consent forms, the Agent must reject the application.

H. Preliminary Determination of Applicant Eligibility

Upon receipt of a complete application package, the Agent will then review the application for program eligibility. Eligibility standards are discussed in detail in Section V below. All information needed to determine applicant eligibility shall be obtained and verified pursuant to the verification procedures described in Section VII below.

The Agent will make a preliminary eligibility determination before adding a household to a waiting list or initiating final eligibility tasks. The Agent will review the application to ensure that there are no obvious factors that would make the applicant ineligible. If a preliminary eligibility review indicates that a household is eligible for tenancy, but units of appropriate size are not available, the Agent will place the household on a waiting list for the property as described in Section VI below.

If an applicant is otherwise eligible but no appropriate size unit exists in the Project, the Agent will reject the application.

I. Final Determination of Eligibility

When a unit becomes available, all eligibility criteria will be reviewed before a final eligibility determination is made. Additionally, all adult members of an applicant household (and, if appropriate, minors) will be subject to certain screening, as described in Section VIII below, based on landlord/rental history, credit history and criminal history. If the screening process determines that the family meets the Agent's standards for admission, a final determination is made that the applicant is eligible.

ELIGIBILITY REQUIREMENTS

J. LIHTC Program Eligibility – applicable to all LIHTC Units

Based on federal regulations, the Agent may admit only eligible applicants. In the selection of applicants for admission, eligibility criteria have been established in accordance with LIHTC guidelines.

The following eligibility standards will be applied in accordance with LIHTC Requirements:

1. The household's annual income must not exceed program income limits at move-

- in. Specifically, pursuant to the LIHTC Indenture, all units must be occupied by households earning at or below 60% of AMI, and at least 22 units must be occupied by households earning at or below 60% of AMI.
- 2. The household size must be appropriate for the available apartments.
- 3. All information reported by the household is subject to verification.

K. Eligibility of Students Under LIHTC Guidelines

A LIHTC Unit may not be occupied solely by full-time students (including students in both K-12 and higher education), unless at least one of the following exceptions applies:

- 1. Any member of the household is married and either files or is entitled to file a joint tax return; or
- 2. The household consists of a least one single parent and his or her minor children, and the parent is not a dependent of a third party. Any children may be claimed as a dependent of either parent, regardless of tenancy in unit; or
- 3. At least one member of the household receives assistance under Title IV of the Social Security Act. (e.g., TANF – Not SSA or SSI); or
- 4. At least one member is enrolled in a job training program receiving assistance under the Work Investment Act (WIA) formerly known as the Job Training Partnership Act, or similar federal, state or local laws; or
- 5. At least one member of the household has exited the foster care system within the previous 6 years.

L. Occupancy Standards

In order to be eligible for a particular unit, the size of the applicant household must conform with the occupancy standards described in this paragraph. Occupancy standards serve to prevent the over-utilization or under-utilization of units that can result in an inefficient use of housing funding. Occupancy standards also ensure that applicants and residents are treated fairly and consistently and receive adequate housing space.

Below, please find this property's occupancy standards description:

Resident Selection Plan

| Number of Bedrooms | Min. # Household Members | Max. # Household Members |
|--------------------|--------------------------|--------------------------|
| 1 | 1 | 2 |
| 2 | 1 | 4 |
| 3 | 3 | 6 |

Any household placed in a unit size different from that defined in these Occupancy Standards shall agree to transfer to an appropriate size unit when one becomes available.

WAITING LISTS

M. Generally

Potentially eligible and acceptable applicants for whom the right size unit is not available will be placed on the LIHTC Waiting List. Once added to a waiting list, the applicant will be informed (1) that they will be contacted when an appropriate unit becomes available, and (2) approximately how long it will take for a unit to become available. The waiting list may be closed, for more than one unit size when the average wait time for admission is more than one year.

The units are offered on a first come first serve basis. When a vacancy must be filled, the waiting list will be reviewed, and applicants will be pulled based on availability.

The LIHTC Waiting List shall be organized according to the AMI income tiers, bedroom size, date/time stamp and accessible unit need status, as described in the charts in the following sections. An income tier that is represented by fewer than the number of units prescribed for that tier shall be referred to as an "underrepresented" tier; an income tier already represented by the full number of units shall be referred to as an "overrepresented" income tier. As vacancies under each list occur, Owner shall lease vacant units to families on the waiting list, provided, however, that the family meets all LIHTC Requirements and, eligibility and screening requirements, and the family's adjusted gross income is determined to be in an underrepresented income tier. Any family in an overrepresented tier will retain its place on the waiting list until its income tier is no longer overrepresented. The Agent shall select qualified applicants within all income tiers in accordance with LIHTC Requirements and this Resident Selection Plan, while giving effect to the preferences and priorities described in the "Preferences" section below. However, in the absence of qualified applicants within an underrepresented income tier, the Agent may select the next qualified household on the waiting list closest in income to the underrepresented tier. In no event is the Owner required to keep any unit vacant until an applicant in the required income tier is obtained.

The waiting list will be updated annually to ensure that applicant information is current and that any names that should no longer be on the list are removed. If any names are removed from the any waiting list, the removal will be documented. Names may be removed from a waiting list if: the applicant no longer meets the eligibility requirements for the property based on the family composition and the unit availability at the site; the applicant fails to respond to the written notice for an eligibility interview; mail sent to the applicant's address is returned as undeliverable.

Once an applicant is placed in a Unit, their name will be removed from all waiting lists.

N. LIHTC Units Income Tiering

The LIHTC Waiting List shall organize the non-subsidized LIHTC Units according to the tiers identified in the chart below, which sets forth the target distribution of the LIHTC Units. This target distribution is derived from the LIHTC Indenture and other applicable LIHTC Requirements as well as any more

stringent requirements imposed by the HOME or PRHP Programs. Note that this chart covers all LIHTC Units, including the HOME and PRHP Units.

Income Tiering - LIHTC Units

| Bdrms | Units | Unit Type | Target AMI |
|---------------|--------------|------------------|-------------------|
| 1 | 10 | Flat | 50% |
| 1 | 30 | Flat | 60% |
| 2 | 10 | Flat | 50% |
| 2 | 26 | Flat | 60% |
| 3 | 8 | Flat | 60% |
| TOTALS | | 84 | |

O. Accessible Units – General Policy

Within the LIHTC Waiting List, units that have been made accessible in accordance with the Universal Federal Accessibility Standards will be offered to applicant households with disabled members first. In some cases, the Agent may implement marketing effort to ensure that disabled households occupy accessible units. An accessible unit will be offered as follows:

- 1) Units with communication accessible features will be offered to households with a verified need for communication accessible units first
- 2) Units with mobility accessible features will be offered to households with a verified need for mobility accessible units first

In the case where the members of the household who required the special features of the accessible unit no longer reside in the unit, and where the lease permits, the Agent will require the remaining members of the household to move to a unit without accessibility features when such a unit of the appropriate size becomes available.

If there is no household on the waiting list that has requested an accessible unit, the unit will then be offered to the next applicant household on the waiting list. Before the applicant can accept that accessible unit, all adult members of the applicant household must sign an agreement that includes a requirement to move, at the household's expense, to the first available non-accessible unit that meets the household's occupancy requirements as described in this plan.

The resident household will not be required to move if:

- 1) No unit that meets the household's occupancy requirements is available
- 2) There is no applicant household on the waiting list requesting an accessible unit

The Agent will not skip over a household that has reached the top of the waiting list and has indicated a need for certain unit features because of a disability. The household will be given the opportunity to benefit from the program and decide for itself, in compliance with the Fair Housing Act and Section 504, whether a unit meets the needs of the disabled household member. The household may accept the unit and request some modification to the unit as a reasonable accommodation.

P. Detailed Priorities

When a unit is available, that unit will be offered in the following order, subject to unit-type eligibility, regulatory requirements and the income tiering preferences described above:

Accessible units will be offered in the following order:

- 1) The next household on the waiting list that currently resides on the property and needs a different accessible unit based on a change in household size or composition
- 2) The next household on the waiting list that currently resides on the property in an accessible unit that needs a different accessible unit based on a verified medical need
- 3) The next household on the waiting list that currently resides on the property and needs a different unit based on a verified need for an accessible unit
- 4) The next household on the waiting list that currently resides in the community that includes an adult household member requesting a separate unit and that includes a member that needs the features of that accessible unit.
- 5) The next applicant household on the waiting list that does not currently reside in the community that requires the features of an accessible unit
- 6) The next household on the waiting list that currently resides in the community that includes an adult household member requesting a separate unit when no residents or applicants require the features of an accessible unit
- 7) The next applicant household on the waiting list that does not currently reside in the community when no residents or applicants require the features of an accessible unit

Non-accessible units will be offered in the following order:

- 1) The next household on the waiting list that currently resides on the property and needs a different size unit based on a change in household size and/or composition
- 2) The next household on the waiting list that currently resides on the property and needs a different unit based on a verified medical need for a different unit
- 3) The next household on the waiting list that currently resides on the property that no longer requires the accessibility features of the unit in which they currently living
- 4) The next household on the waiting list that currently resides in the community that includes an adult household member requesting a separate unit
- 5) The next applicant household on the waiting list on the waiting list that does not currently reside in the community

Q. Preferences

Renaissance Row will not have any preferences.

VERIFICATION

As referenced in the discussion above of the application procedure, the Agent shall obtain verifications in compliance with LIHTC Requirements as well as all local and state requirements. After the preliminary eligibility determination, no decision to accept or reject an application shall be made until information provided on the application form and during subsequent interviews has been collected and any necessary follow-up interviews have been performed.

R. Information to be Verified

Information to be verified includes, but is not limited to:

- 1) Eligibility for Admission, such as
 - a) Income
 - b) Assets And Asset Income
 - c) Identification
 - d) Age
 - e) Household Composition
 - f) Social Security Numbers
 - g) Citizenship And/or Legal Status
 - h) Student Status
 - i) Current HUD Assistance
- 2) The Need for an Accessible Unit

S. Methods of Verification

Verifications will be attempted in the following order:

- 1) Third-party (as appropriate)
- 2) Review of applicable documents
- 3) In the absence of any of the above, notarized affidavits from the household member

Each file will be documented, when appropriate, to show that staff attempted to obtain third-party verification before relying on some less acceptable form of information.

T. Sources of Information

Sources of third-party information may include, **but are not limited to:**

- 1) Any member of the applicant household
- 2) Present and former housing providers/landlords
- 3) Present and former employers
- 4) Banks
- 5) Insurance companies
- 6) Any Asset Manager
- 7) Family members
- 8) Any person or organization providing gifts/regular contributions to the household
- 9) Credit screening providers
- 10) Criminal screening providers
- 11) Eviction screening providers
- 12) Social workers/Parole officers
- 13) Court records
- 14) Drug treatment centers
- 15) Health providers
- 16) Physicians
- 17) Clergy
- 18) Schools/Institutes of higher education
- 19) Department of Homeland Security (DHS)
- 20) Department of Health and Human Services (HHS)
- 21) The Internal Revenue Service (IRS)

- 22) The Social Security Administration (SSA)
- 23) Medicare/Medicaid
- 24) Representative of the United States Armed Forces
- 25) Any federal/local benefit providers
- 26) Pharmacies
- 27) Local and non-local law enforcement
- 28) Automated criminal databases
- 29) Sexual offenders' registries when available
- 30) The internet

The Agent will be the final judge of the credibility of any verification submitted by an applicant. The Agent will continue to pursue credible documentation until it is obtained, or the applicant is rejected for failing to produce it.

U. Period for Verification

Only verified information that is less than 120 days old may be used for verification or recertification. Verified information not subject to change (such as a person's date of birth) will not be re-verified.

V. Misrepresentation

Any information provided by the applicant that verification subsequently proves to be untrue may be used to disqualify the applicant because of misrepresentation or attempted fraud. The Agent will not take any action to reduce or deny assistance based on inconsistent information received during the verification process until the Agent has independently investigated the information.

The Agent considers false information about the following to be grounds for rejecting an applicant:

- 1) Identity
- 2) Social Security Numbers/Information
- 3) Income
- 4) Assets/Income from Assets
- 5) Household composition
- 6) Disability
- 7) Birth Date/Age
- 8) Citizenship, Naturalization, and/or Eligible Immigration Status
- 9) Eviction history
- 10) Criminal history
- 11) Sexual offender status
- 12) Eligibility for Preferences and Priorities
- 13) Allowances
- 14) Current/Previous residence history
- 15) Current Housing Assistance
- 16) Status as a Student

Unintentional errors that do not cause preferential treatment will not be used as a basis to reject applicants.

W. Verifying the Need for an Accessible Unit

When an applicant requests an accessible unit or a unit preference, such as a first floor unit, the Agent will conduct inquiries to:

- 1) Verify that the applicant is qualified for the unit, which is only available to persons with a disability or to persons with a particular type of disability
- 2) Verify that the applicant needs the features of the unit as an accommodation to his or her disability
- 3) Verify that the applicant is qualified to receive a priority on the waiting list available to persons with a disability or to persons with a particular type of disability

X. Privacy Policy

It is the policy of the Agent to guard the privacy of individuals conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the Agent. Neither the property owner nor its agents shall disclose any personal information contained in its records to any person or agency, other than HUD, its Contract Administrators or other federal/state entity or investor auditing entities, unless the individual about whom information is requested gives written consent to such disclosure.

This Privacy Policy in no way limits the Agent's ability to collect such information to determine eligibility, compute rent, or determine an applicant's suitability for tenancy.

APPLICANT SCREENING

Once the Agent has determined that an applicant is eligible for occupancy under the various regulatory programs, the applicant is then subjected to a screening process. Screening is used to help ensure that households admitted to a property will abide by the terms of the lease, pay rent on time, take care of the property and unit, and allow all residents to peacefully enjoy their homes.

Anyone who wishes to live on the property must be screened prior to moving in. This includes, but is not limited to, live-in aides, security/police officers or additional household members wishing to move-in after the initial move-in. Certain exceptions apply to children/minors. The current screening guidelines in place at the time the new household member applies will be used to determine eligibility for admission. Screening is performed in a manner that is reasonable, consistent, and complies with fair housing laws.

Screening for Drug Abuse and Other Criminal Activity

HUD has established standards that prohibit admission of:

- 1) Any household in which any member was evicted in the last three years from federally assisted housing for drug-related criminal activity
- 2) A household in which any member is currently engaged in illegal use of drugs or for which the Owner/Agent 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
- 3) Any household member who is subject to any state lifetime sex offender registration requirement
- 4) 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 must be based on behavior, not the condition of alcoholism or alcohol abuse

The Agent has established standards that prohibit admission of:

- 1) Any household in which any member was evicted in the last seven years.
- 2) Any household member who is subject to any state lifetime sex offender registration requirement
- 3) 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 must be based on behavior, not the condition of alcoholism or alcohol abuse

Subject to the procedures in Section B below, the Agent will reject applications if any household member's criminal history includes one or more of the following:

The Owner/Agent will reject applications if any household member's criminal history includes one or more of the following:

- 1) Record of any conviction or adjudication, other than acquittal, of the following felonies by any household member
 - a) Murder
 - b) Arson
 - c) Felony Assault
 - d) Kidnapping
 - e) Burglary
 - f) Treason
 - g) Crimes involving harm to children
 - h) Sexual offenses
 - i) Crimes involving explosives
 - j) Crimes involving terrorism
 - k) Crimes involving the manufacture, distribution or illegal use of illegal or controlled substances
 - l) Fraud
- 2) Record of any conviction or adjudication, other than acquittal, of all felonies other than those listed above within 5, 10, 20 years or lifetime, depending on the nature of the offense.
- 3) Record of three or more felony convictions or adjudications, other than acquittal
- 4) Record of any conviction or adjudication, other than acquittal, which involved a misdemeanor offense within 3 years or lifetime, depending on the nature of the offense.
- 5) Record of any conviction or adjudication, other than acquittal, which involved harm to a child
- 6) Record of any conviction or adjudication, other than acquittal, which involved harm to an animal
- 7) Record of any conviction or adjudication, other than acquittal, for any act covered under the Violence Against Women Act
- 8) Sex Offender Registration: Applicant is or ever has been subject to registration under a state sex offender registration program

United States Code Title 8, subsection 1324(a)(1)(A) prohibits the harboring of illegal aliens. The provision of housing to illegal aliens is a fundamental component of harboring. All applicants will be required to provide proof of citizenship or legal immigration status.

If criminal screening indicates an unresolved criminal charge or an unresolved charge of an act covered under the Violence Against Women Act, the application will be suspended until the charge is resolved. At that time, the Owner/Agents current screening criteria will be applied.

If the Owner/Agent is unable to complete required criminal or sexual offender screening, the application will be rejected.

If criminal screening indicates that the applicant has an unacceptable criminal history, the Owner/Agent will reject the applicant in accordance with HUD guidance and the Owner/Agent's standards for applicant rejection.

Criminal Screening Discoveries

If the criminal background investigation results indicate that the applicant does not meet the criminal screening criteria, the Owner/Agent will reject the applicant in accordance with HUD guidance and the Owner/Agent's standards for applicant rejection.

Before rejecting the household, the Owner/Agent will compare the information provided by the applicant with the criminal history report. If the information conflicts, the Owner/Agent will:

- 1) Notify the household of the proposed action based on the information;
- 2) Provide information about how to obtain a copy of the criminal record;
- 3) Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency;
- 4) Allow the household the opportunity to remove the household member.

In this situation, applicants will have (10) calendar days to resolve the discrepancy. If the applicant fails to contact the Owner/Agent or indicates that he/she cannot provide documentation verify that the criminal screening information is not correct, the Owner/Agent will reject the application.

If, after move-in, the Owner/Agent discovers that there was criminal history that would have resulted in rejection, the Owner/Agent will contact the resident to ascertain the accuracy of the criminal report. If the resident would have been rejected had the information been known at the time of the eligibility determination, the Owner/Agent will take steps to evict the household.

Screening for Credit History, Rental History & HUD Assistance

Screening for Credit History

The Owner/Agent reviews each adult applicant's credit history. The Owner/Agent does not consider medical bills/expenses when reviewing credit history.

Credit history will be reviewed to determine if there is any debt owed to a prior landlord. Applicants owing prior landlords will be rejected unless such debt has been paid.

The Owner/Agent will also review utility payment history. If the applicant has more than three late utility payments in the last year or if the applicant is unable to establish utilities in the new unit, the application will be rejected.

Other credit history will be reviewed; the following discoveries will be reason for rejection:

- No outstanding balances in the last 24 months.
- No foreclosures in the last 24 months

- No utility debt

If no credit history is available, the Owner/Agent will accept a single reference from a person who is not related to the applicant who is a licensed business owner, accredited professional or an employee of an accredited education facility. No additional inquiry will be made.

Screening for Rental History

If any member of the applicant household has been evicted from any property owned or managed by the Agent, for lease violations, that applicant household will be rejected.

The Agent will review rental history with any landlord indicated in the past three years. Information will be gathered based on the application and information provided through automated eviction databases. If the applicant fails to identify one or more residences where he/she lived in the last three years, the applicant will be rejected.

If any member of the applicant household has been evicted from any property, for lease violations, within the last seven years, the application will be rejected.

The Agent will contact the prior property owner/agent (as indicated above) and inquire about the following information:

- 1) Adherence to the lease & community policies
- 2) Compliance with certification reporting requirements
- 3) Rental payment performance
- 4) Unit maintenance
- 5) Record of disturbing neighbors
- 6) Complaints

If the inquiry reveals any negative rental history with respect to the applicant, the applicant will be rejected. Negative history shall include, but will not be limited to:

- 1) Failure to comply with the lease
- 2) Failure to fully and accurately report income, new employment or changes in household composition in a timely manner
- 3) Providing false information
- 4) Attempting to receive or receiving HUD assistance in multiple units/homes
- 5) Slow or no response to requests to recertify
- 6) Poor rental payment history (average more than (2) late payments per year, record of bounced checks, any outstanding balance)
- 7) Record of poor unit maintenance or damage to the unit
- 8) Presence of parasitic infestation unless the applicant agrees to have all unit contents treated before move-in (Owner/Agent will arrange for and pay for treatment)
- 9) Complaints from neighbors regarding actions that directly affect the peace and quiet comfort of others living in the community and/or record of actions that interfered with or prevented the previous landlord from effectively managing the property.
- 10) A current outstanding balance owed by any household member to a prior landlord
- 11) Failure to execute or pay repayment agreements
- 12) More than 2 eviction notices in the last 24 months.

- 13) Verified evictions within in the last 84 months.
- 14) Late pays or NSF's within the last 12 months.
- 15) Other lease violations within the last 24 months.

If no rental history is available, the Agent will accept a single reference from a person who is not related to the applicant who is a licensed business owner, accredited professional or an employee of an accredited education facility. No additional inquiry will be made.

Screening for Receipt of HUD Assistance in Another Unit

All applicants **MUST** disclose if they are currently receiving HUD housing assistance. The Owner/Agent will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit on this property.

HUD provides the Owner/Agent with information about an applicant's current status as a HUD housing assistance recipient.

Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin. Special consideration applies to

- 1) Minor children where two assisted families share custody
- 2) Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit

If the applicant or any member of the applicant household fails to fully and accurately disclose rental history, the application may be denied based on the applicant's "misrepresentation" of information. This information will be reviewed periodically. If any household member receives or attempts to receive assistance in another HUD assisted unit while receiving assistance on this property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges.

Violence Against Women Act Protections

Violence Against Women Act: HUD Notice #06-42 pertains to The Violence Against Women Act of 2005 (VAWA) which prohibits project-based Section 8 owners from denying admission to any person simply because she/he has been a victim of domestic violence, or stalking. Domestic violence, dating violence, or stalking is not good cause for evicting the victim of that violence. Under VAWA an owner can only evict an individual based on the domestic violence against his/her if it can prove there is an "actual and eminent threat" to other tenants or staff if s/he is not evicted. The Violence Against Women and Justice Department Reauthorization Act of 2013 protects tenants and family members of tenants who are victims of domestic violence, dating violence, or stalking from being evicted or terminated from housing assistance based on acts of such violence against them. These provisions apply both to public housing agencies administering public housing and Section 8 programs and to owners renting to families under Section 8 rental assistance programs.

In general, the law provides in part that criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse. The law also provides that an incident or incidents of actual or threatened domestic

violence, dating violence, or stalking will not be construed as serious or repeated violations of the lease by the victim or threatened victim of that violence and will not be “good cause” for termination of the assistance, tenancy, or occupancy rights of a victim of such violence

Rejection of Applicants

Y. Grounds for Rejection

In addition to other grounds for rejection identified elsewhere in this plan, the Agent may reject an applicant on any of the following grounds:

- 1) No unit of the appropriate size exists on the property
- 2) Any non-exempt member of the household fails to provide a Social Security Number or adequate documentation to verify the Social Security Number.
- 3) Any member of the household fails to meet the applicant screening requirements. The Agent will consider the application again if the person who failed screening criteria is removed from the household.
- 4) Any member of the household fails to sign appropriate verification documents
- 5) Misrepresentation
- 6) Fraud
- 7) Any member of the household fails to respond to management inquiries for additional information during the application process
- 8) Any member of the household fails to respond to management inquiries while on a waiting list
- 9) Any member of the household fails to provide changed household information to the Agent as indicated
- 10) The Agent is unable to contact the applicant via US Mail (letters undeliverable or returned) and/or by phone (number disconnected or changed)
- 11) Any member of the household has a record of eviction, for lease violations, from any property managed by the Agent.
- 12) Any member of the household has a record of eviction, for lease violations, from any property within the last seven years
 - a) The Agent will thoroughly review housing court cases and shall permit applicants the opportunity to explain the circumstances involved in their prior and/or current housing court cases before rejecting an applicant. If tenant withholds rent because the landlord has breached the warranty of habitability, providing unsafe or unsanitary apartment (i.e. lack of heat or hot water, or infestation) or Section 8 subsidy payments have been suspended due to no fault of the applicant, applicant will be considered for housing conditional that supporting documentation is submitted within 5 (five) business days evidencing these situations.
- 13) There is record of outstanding or overdue payments to a previous landlord
- 14) There is record of outstanding or overdue payments to utility providers
- 15) Any member of the household refused to allow treatment of unit contents, at the cost of the Agent, when there is history of the presence of bed bugs, fleas, or other parasites
- 16) The household is unable to establish utilities in the new unit
- 17) The household is unable to pay the security deposit required
- 18) The household refuses two or more unit offers
- 19) Applicant household earns above the maximum allowable income
- 20) Applicant is employed by the owner or developer of the Project
- 21) Applicant does not meet IRS exceptions regarding ineligibility of full-time student
- 22) Credit History

- a) Monthly net tenant rent plus monthly payment (as indicated on the credit report) multiplied by 12 (twelve) and divided by the annual income may not exceed 42%. The monthly payment on the credit report is fined as follows: all of the monthly payments which have been defined by Tenant Alert Inc. through the Experian Credit Report as per the attached list labeled "Purpose type of account"
- 23) In addition, and in accordance with HUD's "One Strike" rule, acceptance for occupancy will be denied to any applicant who has, or whose household member has been evicted from federally assisted housing for drug related criminal activity
- 24) Any household member is subject to a lifetime registration requirement under the State sex offender registration program
- 25) A prior conviction of fraud in connection to any governmental housing program has been found
- 26) A revelation that an applicant is a criminal fugitive being sought by law enforcement for either incarceration or deportation (as such applicants would not lawfully be able to "anticipate" income or even be anticipated to be an included member of a household)
- 27) Harassment of the office staff by applicant. Harassment shall be deemed to mean threatening or incessant phone calls to the leasing office, intimidation by the applicants of the leasing and support staff, before, during, or after the selection process, inside or outside the leasing office.

Z. Rejection Notices

The Agent will promptly notify the applicant and the BCHA, in writing, of the denial of admission or assistance. The result of the eligibility determination will be sent to the head of household, as indicated on the application, via First Class Mail. The rejection notice will include:

- 1) The specifically stated reason(s) for the rejection
- 2) Notice of the applicant's right to respond to the Agent in writing or request a meeting within fourteen (14) calendar days to dispute the rejection
- 3) Notice that persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process
- 4) A notice of individual's rights under VAWA, if and when HUD develops such a notice form.

Information about the results of the eligibility determination will NOT be provided over the phone or via email.

AA. Meetings with Applicants to Discuss Rejection Notices

In accordance with the Grievance Procedure developed by the Agent for the Project, rejected applicants may request a meeting to discuss/appeal the denial. The Agent will grant a reasonable accommodation, if there is a disability, to allow the applicant to participate in the appeal. Common reasons to appeal denial include:

- The applicant believes the decision has been made in error
- The applicant believes there are extenuating circumstances that should be considered
- The applicant or a member of his/her household is a victim of abuse covered by VAWA and feels his/her status as a victim contributes to the decision to reject. Such an individual will be required to complete and submit HUD Form 50066 to certify status as a victim.

- The applicant or a member of his/her household is a person with a disability and believes a reasonable accommodation would allow the Agent to continue processing the application
- The application was rejected because the application includes someone who is a registered sex offender and the applicant wishes to remove that household member

If an appeal meeting is requested within 14 calendar days, a person who was not involved in the initial decision to reject the application will conduct a meeting with the applicant to discuss the rejection. The applicant may bring a representative of the applicant's choice to the appeal meeting.

If an applicant is clearly eligible and passes the screening guidelines, admission shall be authorized. Likewise, if the applicant is not eligible, or does not meet the screening requirements, rejection shall be authorized. The Agent will advise the applicant, in writing, of the final decision within five (5) business days of the meeting.

OFFERING AN APARTMENT

When a unit becomes available and eligibility is determined, available units will be offered:

- In writing
- Over the phone
- By email

If the Agent is unable to contact the household within five (5) business days from the date of the letter, the offer will be cancelled, and the apartment will be offered to the next applicant based on the selection criteria described above. Failure to accept the unit will be considered a refusal of the unit offer. (See Right to Refusal policies.)

BB. Right to Refusal

The Right to Refusal Policy applies to applicant households and existing residents who have submitted a Unit Transfer Request. Residents requesting unit transfer and applicants will be offered available units based on the information included in this resident selection plan.

Each household will be offered the opportunity to accept an offered apartment two (2) times. If a resident/applicant does not wish to accept an offered apartment, they have the right to refuse the offer. Residents/applicants must notify the Agent of their intent to refuse the unit offer by using one or more of the following methods:

- In writing (delivered by fax, mail or other means)
- By email
- Over the phone

Note: If the refusal is made over the phone, contact must be made with a member of the management staff. Leaving a message is not adequate.

CC. Security Deposit

The Agent must collect a security deposit at the time of the initial lease execution. The Agent will comply with all applicable state and local laws governing the security deposit.

The resident is expected to pay the security deposit from his/her own resources and/or other public or private sources. An applicant will be rejected if he/she does not have sufficient funds to pay the deposit.

UNIT TRANSFER POLICIES

DD. Generally

The Agent will accept applications for transfer based on the following:

- 1) A resident needs a unit transfer because of a change in household size and/or composition
- 2) A resident needs a unit transfer based on the verified need for an accessible unit
- 3) A resident has a verified medical need for a different unit.
- 4) A household desires to transfer out of an accessible unit because it does not require the accessibility features of the unit.
- 5) If two or more adult household members reside in one unit and one or more adults choose to apply for a separate unit, they will be required to submit an application. The application will be reviewed for eligibility as described in this plan and if approved, that applicant will receive preference over other non-residents

Residents who wish to transfer to a different unit must complete a Unit Transfer Request. The Unit Transfer Request must be completed and signed by the head of household and all adult household members who wish to move.

The Agent will accept the Unit Transfer Request in an equally effective format, as a reasonable accommodation, if there is the presence of a disability. Factors concerning approval of transfers are as follows:

1. A household that has given notice to move need not be transferred
2. A household whose household size/composition has not changed, and the household currently meets the unit size standards for their current apartment will not be transferred unless there is:
 - a) A verified medical need for a different unit
 - b) A verified need for an accessible unit
 - c) A household desires to transfer out of an accessible unit because it does not require the accessibility features of the unit, in order to accommodate a disabled resident/applicant on the waiting list.
3. The household must have been in the current unit for at least one year unless there is:
 - a) A verified medical need for a different unit
 - b) A verified need for an accessible unit
 - c) A household desires to transfer out of an accessible unit because it does not require the accessibility features of the unit, in order to accommodate a disabled resident/applicant on the waiting list.
4. A household living in an apartment too large for its needs will not be required to move if there are no applicants waiting for the bedroom size to be vacated by the transfer. An appropriately sized unit will be available before the resident household is required to move.

EE. Security Deposits & Unit Transfers

When a resident transfers to a new unit with all other household members, the Agent will charge a new security deposit and refund the security deposit for the old unit less any outstanding amounts for rent, fees



or damages. If the household splits and one or more residents remain in the original unit, the original security deposit will remain with the original unit and a new security deposit will be collected for the new unit.

CHANGES IN HOUSEHOLD COMPOSITION

The Agent must approve any new household member before he/she moves in to the unit. Eligibility criteria, screening criteria and compliance with occupancy standards will be reviewed before the new household member is approved or denied.

The proposed new adult household member will be considered an applicant and must participate in the eligibility determination and screening processes described in the resident selection plan then in effect.

This policy applies to live-in aides as well. Screening criteria will also be applied to live-in aides, **except for the criterion regarding credit performance or the ability to pay rent on time** because live-in aides are not responsible for rental payments. However, live in aides must meet other screening criteria established by the Agent. Income and/or allowances received by live-in aides will not be considered.

CHANGES TO THE RESIDENT SELECTION PLAN

Applicants will be notified in writing when the resident selection plan undergoes significant change or when preferences are added or removed. At that time, applicants will be:

- 1) Given an opportunity to review the new plan
- 2) Notified of changes to preferences
- 3) Asked if they wish to remain on the waiting list

If the applicant household does not respond, that household will be deemed ineligible and removed from the waiting list.

The resident selection plan in place at the time of final eligibility determination will be used to make a final decision to approve or reject the application.

ATTACHMENTS:**APPENDIX A – REQUEST FOR REASONABLE ACCOMMODATION OR MODIFICATION****Appendix A – Request for Reasonable Accommodation or Modification**

The Agent is committed to complying with the Fair Housing Act and Section 504 of the Rehabilitation Act by ensuring that its policies and practices do not deny individuals with disabilities the opportunity to participate in, or benefit from, nor otherwise discriminate against individuals with disabilities in connection with the operation of housing services or programs solely on the basis of such disabilities.

If an individual with a disability requests an accommodation or modification, the Agent will fulfill these requests, unless doing so would result in a fundamental alteration in the nature of the program or create an undue financial and administrative burden. In such a case, if possible, the Agent will offer an alternative solution that would not result in a financial or administrative burden.

- 1) The Agent informs all residents that, at any time, the resident or a person acting on behalf of the resident may make a request for reasonable accommodation or modification for an individual with a disability.
- 2) At the time of application, all applicants are provided with a copy of the Reasonable Accommodation - Modification Policy. This is provided in writing as part of the Application Package or, upon the applicant's request, the Policy will be provided in an equally effective format.
- 3) All applicants/residents are provided with a Reasonable Accommodation/Modification Request Form when requesting a reasonable accommodation or modification. The request will be accepted in an equally effective format, as a reasonable accommodation, if there is the presence of a disability. A resident or applicant may submit the request in writing, orally, or use another equally effective means of communication to request an accommodation or modification.
- 4) Residents and applicants may contact the management office located within their property for information about requests.
- 5) The Agent will provide an initial reply to requests as quickly as possible, but no more than ten (10) business days from the receipt of the request unless the Agent explains the delay. Response may include but is not limited to:
 - i. Request Approval
 - ii. Request Denial
 - iii. Request for Additional Information or Verification of Need
- 6) The Agent will consent to or deny the request as quickly as possible. Unless the Agent explains the delay, the applicant/resident will be notified of the decision to consent or deny within no more than thirty (30) calendar days after receiving all necessary information and documentation from the resident and/or appropriate verification sources. All decisions to grant or deny reasonable accommodations will be communicated in writing or, if required/requested, in an alternative format. Exceptions to the thirty (30) day period for notification of the Agent's decision on the request will be provided to the resident setting forth the reasons for the delay.

- 7) If the request for reasonable accommodation or modification is denied, the requestor has the right to appeal the decision within ten (10) business days of the date of the written notification of denial. The appeal meeting will be conducted by a person who was not originally involved in the decision to deny.

APPENDIX B – VERIFICATION OF HOUSEHOLD COMPOSITION

Appendix B – Verification of Household Composition

In compliance with HUD's Rental Housing Integrity Improvement Project (RHIIP), the owner/agent will make every effort to ensure that the correct assistance is provided to those who seek housing assistance.

One of the key requirements, at application and during residency, is to disclose who will be living in the unit at any given time. It is important to understand the difference between a resident and a guest.

Resident: A resident is any person who is listed on the application, on any Family Summary submitted and on the lease who will reside in the unit.

Guest: A guest is a person who visits any resident and may stay overnight no more than 5 consecutive nights in a six-month period and may stay overnight no more than 10 non-consecutive nights in any six-month period without express written consent of the owner/agent.

If the owner/agent suspects that a guest should actually be classified as a resident, the owner/agent will request a meeting with the head-of-household. In accordance with HUD requirements, the resident will e 10 days to meet with the owner/agent. Failure to respond to the request to meet will result in termination of assistance beginning the first of the month following the 10-day notice.

If the owner/agent suspects that a guest is actually living in the unit, the owner/agent will ask for verification of alternative residence. Samples of such verification include one or more of the following:

- Verification with the United States Postal Service that no mail, for the guest, is delivered to the unit address
- *A current driver's license for the "guest" with an alternative address
- *A current lease indicating an alternative residence
- *A current utility bill in the person's name showing an alternative address
- *A current insurance policy or other such invoice/bill showing an alternative address

**Current means issued/created within the last 30 days.*

In addition, the resident, indicated on the lease, must sign a notarized statement confirming that the guest does not violate the guest policy as indicated above and does not reside in the unit.

Live-in Aides: A live-in aide must meet HUD's definition of a live-in aide:

- Is essential to the care and well-being of the resident

- Is not dependent on the resident for support
- Is only living in the unit to provide essential support

If a resident or applicant requests a live-in aide, the owner/agent is required to verify the need for a live-in aide using third-party verification.

Live-in Aides are required to complete the Live-in Aide Questionnaire. The information on the Live-in Aide questionnaire will be verified and the prospective live-in aide will be screened in accordance with the resident selection plan in place at the time of review. The live-in aide will not be screened for the “ability to pay rent” since the live-in aide is not responsible for rent payment.

The live-in aide must be approved and must sign the House Rules and the HUD-approved Live-in Aide Addendum before move-in. The owner/agent must sign a revised 50059 before the live-in aide is allowed to move-in.

If a live-in aide moves in prior to screening and prior to signing required forms, the owner/agent will issue a notice of material lease violation and may pursue other action including, but not limited to eviction of the live-in aide, termination of assistance and/or termination of tenancy.

Children/Minors: When children are included as part of the family, the following will be required:

- For children who are born, adopted or in foster care or in another legal custodial relationship with an existing household member, the owner/agent requires the following:
 - Social Security Number and proof that the number is valid
 - For children six years of age or younger - must be provided within 90 days or owner/agent is required to initiate termination of tenancy. An additional 90 may be provided if extenuating circumstances exist
 - One of the following documents verifying legal custody
 - Birth certificate indicating that a household member is a parent; or
 - Adoption paperwork indicating that a household member is a parent as appropriate; or
 - Verification from the foster agency indicating the unit as the primary residence of the foster child as appropriate; or
 - Other documents proving legal custody arrangement as appropriate
- For children who are not part of a legal custody arrangement who will be living in the unit, the owner/agent requires:
 - Social Security Number and proof that the number is valid
 - For children six years of age or younger - must be provided within 90 days or owner/agent is required to initiate termination of tenancy. An additional 90 may be provided if extenuating circumstances exist

- Two forms of verification that the child resides with a member of the household
- Verification from a government organization indicating that the unit will be the primary residence for the minor (examples include but are not limited to school records, children services agencies, foster programs, etc.)
- Verification from a medical professional in the know indicating that the unit will be the primary residence for the minor
- Verification from a social service organization indicating that the unit will be the primary residence of the minor (examples include but are not limited to homeless shelters, shelters for victims of domestic violence, etc.)
- A signed, notarized statement from an adult household member claiming guardianship of the minor child
- Addition of a new household member who is at least 6 years of age or under the age of 6 and has an assigned SSN the owner/agent requires:
 - Tenant or applicant must disclose and provide verification of the SSN of the individual to be added to the household. This SSN must be provided to the owner/agent at the time of request or at the time of the recertification that includes the new household member is processed
- Addition of a new household member under the age of 6 and has no assigned SSN.
 - Tenant must disclose and provide verification of new household members SSN within 90 calendar days of the child being added to the household.
 - The owner/agent must grant an extension of one additional 90 period if the owner/agent in its discretion determines that the tenant's failure to comply is due to circumstances beyond tenants control
 - During the disclosure and verification period the child is included as part of the household and is entitled to all of the benefits of being a household member.
- If the tenant fails to disclose and provide verification of the SSN the tenants and tenants household is subject to termination of tenancy.

The owner/agent does not and will not establish policies intended to exclude children. If none of the household members can provide documentation for minors, as described above, the owner/agent will meet with the applicant/resident to discuss reasonable alternatives. The owner/agent will be the final judge of what is considered adequate documentation proving household composition/residency.