

## **TENANT SELECTION PLAN**

### **The Village at Slippery Hill**

#### **GENERAL**

The Tenant Selection and Marketing Plan outline the procedures and criteria by which management will conduct the rental process and select residents for occupancy in the development. This property participates in the LIHTC Section 42 Program requiring all residents to be income eligible under the published Multifamily Tax Subsidy Project Income Limits set by HUD.

The following guides will be used to determine eligibility:

1. The Federal Fair Housing Law
2. The State Fair Housing Law
3. IRS LIHTC Sec. 42
4. The Federal Fair Credit Reporting Act and other state and local credit reporting laws.
5. All Civil Rights Acts prohibiting discrimination.

Management's ultimate responsibility is our tenant selection. The owner has developed this community in hopes of servicing a need for housing. Management will make every effort to occupy the owner's community with tenants who will care for their unit, common area and who will pay their rent on time and in full. Management's goal is to house people/families who will abide by their lease and the Rules & Regulations of the community.

This procedure will be posted in the Rental Office and made available for applicants to review. It will be updated periodically in accordance with changes in Federal and State guidelines. Any questions pertaining to this selection criterion should be directed to the Site Manager.

#### **APPLICATION PROCEDURES**

No one will be refused the right to fill out an application. The Site Manager or Case Manager will offer aid to applicants in completing the application for admission. Applications will be accepted by mail but every effort will be made to encourage applicants to bring their applications to the rental office for review. During this interview, the Site Manager will explain the nature of the LIHTC program and the resident selection process. All applications will be signed and dated by the applicant. Positive identification of all residents is required. For adult applicants this must be photo identification. For all minors who will be listed on the application, a copy of their birth certificate is required.

#### **EVALUATION CRITERIA**

Management will evaluate each applicant on his or her past performance in meeting financial obligations, especially rent. In the event that unfavorable information on the applicant is received, consideration will be given to factors that indicate that future performance in meeting financial obligations is likely to be more favorable. Management will evaluate each applicant on his or her conduct in present and prior housing in order to determine if he or she or those under his or her control, do interfere with other residents' health, safety, comfort and enjoyment of the premises. The following are some of the factors which management will consider in determining admission to the development:

- Record of disturbances of neighbors; destruction of property; living or housekeeping habits which may adversely affect the health, safety or welfare of other residents
- History of criminal activity, see attached table regarding Criminal Activity
- Current history of substance abuse.

The time, nature and extent of each factor shall be considered in determining the effect on the development. In the event that unfavorable information on an applicant is received, consideration will be given to factors that indicate that future conduct is likely to be more favorable.



Management will verify adequately information furnished by each applicant in a manner that is timely to processing requirements. This can include credit checks and interviews with each applicant, interviews with present and former landlords, local welfare office employees, family social workers, parole officers, family court officials and drug treatment center officials. All information on income will be certified in writing through third-party sources. Applicants will certify in writing to their income, assets and the sources.



## **PROGRAM ELIGIBILITY**

This community is designated for a special population. Applicants must meet the restrictions as indicated below in order to proceed with the application process:

- (1) Age 18-61 at time of lease signing.
- (2) No member of the household is a registered sex offender or has been convicted for the production of methamphetamine on federally assisted property.
- (3) Be eligible under the requirements established to qualify for housing benefits under the Low-Income Housing Tax Credit (LIHTC) program.
- (4) Maryland Medicaid recipient.
- (5) Person with a disability as defined by HUD.
- (6) Eligible for Maryland long term support and services
- (7) Extremely low income (ex: SSI)

This community has set aside 5 of the apartment units for applicants participating in the Section 811 Project Rental Assistance Program

## **INCOME AND RENT RESTRICTIONS**

This community has income and rent restrictions as follows:

5 of the units at 30%% AMI

When qualifying new households for move in, the site staff are required to complete the LIHTC Move In Packet, including the Manager's Certification, and submit to the Compliance Department for approval prior to executing a lease.

## **PREFERENCES**

☒ The following preferences must be met for this community:

Referral from Maryland Department of Disabilities

## **STUDENTS**

This community is subject to LIHTC Section 42 restrictions. One of the following exceptions must apply if the household will be comprised of only full-time students:

1. A single parent with children whom reside in the unit, none of which are declared as dependents on another Person's tax return.
2. Married and entitled to file a joint federal tax return.
3. Receiving Temporary Assistance for Needy Families (TANF) payments on behalf of minor children administered under Title IV of the Social Security Act
4. Enrolled in a job-training program receiving assistance under the Job Training Partnership Act or funded by a state or local government agency.
5. A student who was previously in foster care and placement responsibility of the State agency.



### **LIVE-IN RESIDENT ASSISTANTS**

These assistants will be screened for criminal activity and landlord references with the same eligibility criteria as other applicants.

### **REJECTION STANDARDS**

The standards for rejection are:

- Substantial risk that the applicant will be unable or unwilling to pay the rent. Including:
  1. Money owed to a previous landlord.
  2. One (1) "EVICTION" from a previous housing unit.
  3. Inability to obtain utilities in the applicant's name.
- Substantial risk that the applicant or those under the control of the applicant will interfere with the health, safety, security and the right to peaceful enjoyment of the resident community.
- Substantial risk of intentional damage or destruction to the apartment unit and surrounding premises by the applicant or those under the applicant's control.
- Current history of substance abuse
- History of criminal activity

If an applicant is disapproved, the Site Manager shall notify the applicant and applicant's case manager in writing. Such notice shall clearly state the name and address of the organization that provided the information, for disapproval. If any person or family is not satisfied with this notification, within 14 calendar days of receipt of written notification, such person or family shall have the right to respond to the notice in writing within 14 calendar days after date of the notice and of the right to a hearing. Each family shall have the right to contact the credit-reporting agency for a complete and accurate disclosure of the information contained in that agency's report.

### **APPLICATION INTAKE**

Applications will be available from the rental office and may be requested by phone, by letter or in person.

Applications will be accepted in person or through the mail, although every effort will be made to encourage applicants to come to the rental office for review of their application by the Site Manager. The Site Manager will review the application upon receipt to ensure that it appears to be correctly and completely filled out and has been signed and dated by the applicant. Management will record the initials of the person receiving the application. Management will record all applications on the HUD 811 PRA Waiting List. If an application is not complete, Management will notify the applicant in writing within ten calendar days of what information is needed to make the application complete. Once a completed application is received, Management will record the date and time of receipt of the completed application.

Upon receipt of the completed application every effort will be made to promptly review the application for program eligibility. Persons who are apparently not program eligible will be given an opportunity to appeal this decision should they dispute it. Provision for this appeal process will be clearly spelled out in the notice letter. Applicants are prioritized by MDOD according to the HUD 811 TSP and applicants will be offered a unit following confirmation from MDOD of the applicants place in the priority order.

MDOD will provide management with a list and the order of which applicants can be offered a unit.

### **WAITING LIST MAINTENANCE**

Waiting list will be maintained by MDOD.

### **VIOLENCE AGAINST WOMEN ACT (VAWA) - Protections Provided under the VAWA**

The Violence Against Women Act (VAWA) provides protections to women or men who are the victims of domestic violence, dating violence, sexual assault and/or stalking – collectively referred to as VAWA crimes. TM Associates



Management, Inc. understands that, regardless of whether state or local laws protect victims of VAWA crimes, people who have been victims of violence have certain rights under federal fair housing regulation.

This policy is intended to support or assist victims of VAWA crimes and protect victims, as well as affiliated persons, from being denied housing or from losing their HUD assisted housing as a consequence of their status as a victim of VAWA crimes. Affiliated persons include:

A spouse, parent, brother, sister, or child of the victim, or a person to whom the victim stands in the place of a parent or guardian (for example, the affiliated individual is a person in the care, custody, or control of the victim); or

Any individual, resident/applicant, or lawful occupant living in the household of that individual.

VAWA ensures that victims are not denied housing and housing assistance solely because the person is a victim of a VAWA crime. However, being a victim of a VAWA crime is not reason to change the eligibility or applicant screening requirements set forth in the Tenant Selection Plan unless such requirements interfere with protections provided under the VAWA.

For example: An TM Associates Management, Inc. may waive the requirement to review landlord history for an applicant if the victim has provided necessary documentation to certify their status as a victim and if contacting a previous landlord would put the applicant's location at risk of exposure to the accused perpetrator.

### **Confidentiality**

The ***Notice of Occupancy Rights under the Violence Against Women*** Act provides notice to the resident/applicant of the confidentiality of information about a person seeking to exercise VAWA protections and the limits thereof. The identity of the victim and all information provided to TM Associates Management, Inc. relating to the incident(s) of abuse covered under the VAWA will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is:

1. Requested or consented to by the victim in writing; or
2. Required for use in an eviction proceeding or termination of assistance; or
3. Otherwise required by applicable law.

TM Associates Management, Inc. will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault and/or stalking in a separate file that is kept in a separate secure location from other applicant or resident files.

### **Requests & Certification**

When TM Associates Management, Inc. responds to a request to exercise protections provided under the VAWA TM Associates Management, Inc. will request that an individual complete, sign, and submit the VAWA certification form, within fourteen (14) business days of the request. This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

If the applicant/resident has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the resident may submit written proof of this outreach in lieu of the certification form. TM Associates Management, Inc. will accept the following:

A federal, state, tribal, territorial, or local police record or court record or

Documentation signed and attested to by a professional (employee, agent or volunteer of a victim service provider, an attorney, medical personnel, etc.) From whom the victim has sought assistance in addressing



domestic violence, dating violence and/or stalking or the effects of the abuse. The signatory attests under penalty of perjury (28 U.S.C. §1746) to his/her belief that the incident in question represents bona fide abuse, and the victim of domestic violence, dating violence and/or stalking has signed or attested to the documentation.

The victim is not required to name his/her accused perpetrator if doing so would result in imminent threat or if the victim does not know the name of his/her accused perpetrator.

### **Lease Bifurcation**

If TM Associates Management, Inc. determines that physical abuse caused by a resident is clear and present, the law provides TM Associates Management, Inc. the authority to bifurcate a lease i.e., remove, evict, or terminate housing assistance to any accused perpetrator, while allowing the victim, who lawfully occupies the home, to maintain tenancy.

### **Legal Action**

Victims are encouraged to seek police/legal protection from their accused perpetrator. In some cases, TM Associates Management, Inc. may file a restraining order against the accused perpetrator to prevent the accused perpetrator from entering the property.

### **Lease Addendum**

The HUD approved lease addendum will be implemented and provided in accordance with HUD guidance.

### **Emergency Transfer**

TM Associates Management, Inc. will consider an Emergency Transfer Request when a person seeking to exercise VAWA protections feels that he/she is:

In imminent danger

Was sexually assaulted on the property within 90 days of the request

Please see the attached property VAWA Policy or VAWA Emergency Transfer Plan for additional information.

### **SECTION 504 COMPLIANCE**

In compliance with Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act Amendments of 1988 and Title VI of the Civil Rights Act of 1964 and other relevant civil rights statutes, we have established the following policy.

When an applicant/current resident requests an accessible unit or a unit preference or other reasonable accommodation, the owner may conduct inquiries to:

- a. Verify 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.
- b. Verify that the applicant needs the features of the unit as an accommodation to his or her disability.

### **FAIR HOUSING AND EQUAL OPPORTUNITY**

This institution is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at



[http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

IRS (tax credit eligibility) program requirements may require certain resident selection criteria based on program eligibility. Properties participating in the LIHTC program have special requirements:

1. Applicants who exceed published income limits are not eligible.
2. Households consisting solely of only full-time students may not be eligible unless they meet one of the exceptions defined in Section 42 of the IRS code.

### **MISREPRESENTATION**

Willful or serious misrepresentation in the application procedure for this community will be a basis for rejection.

### **OCCUPANCY**

Occupancy Policy is attached.



### Criminal Activity Verification

Type of Criminal Activity	Crime-free Timeframe before Approval
Offenses Against Property Offenses Against Animals Offense Involving Fraud Offenses Involving Computers Offenses Against Government Offenses Against Public Peace Offenses Involving Gambling Offenses Involving Firearms Offenses Involving Organized Crime Offenses Involving Illegal Drugs Other Victimless Offenses	Misdemeanor Conviction – 3 Years Felony Conviction – 7 Years  Misdemeanor Charge – Eligible Felony Charge – Eligible
Offenses Against Persons including but not limited to: Homicide, Manslaughter, Kidnapping, Hostage, Robbery, Attempted Murder, Assault, Attempted Assault, False Imprisonment, Battery & Vehicular Manslaughter	Misdemeanor Conviction – 5 Years Felony Convictions – 15 Years  Misdemeanor Charge – 2 Years Felony Charge – 3 Years
Offenses Involving Family Relations including but not limited to: Abandonment, Neglect of Children, Spousal Abuse, Domestic Violence, Child Abuse, Bigamy, Incest, Trafficking in Children	Misdemeanor Conviction – 3 Years Felony Conviction – 7 Years  Misdemeanor Charge – 2 Years Felony Charge – 3 Years
Sex Offender	Felony Conviction – NEVER ELIGIBLE Misdemeanor Conviction – NEVER ELIGIBLE Misdemeanor Charge – 2 Years Felony Charge – 3 Years
Drug Use	After successful completion of drug rehab program, immediately eligible.





## OCCUPANCY POLICY

In determining occupancy standards, the intent of community policy is to neither overcrowd nor under utilize space. Different properties may have different occupancy standards depending on bedroom sizes, unit square footage and any local restrictions. Occupancy is based on number of persons in the household, and is based on counting all full-time members of household.

A disabled applicant who would need a larger unit due to accommodation requests would be given such consideration. For specifically designed units (i.e. barrier free) applicants needing those features would be given priority. Should no one apply who would benefit from special unit features, another applicant selected based on income level and occupancy policy could occupy this unit with a written lease agreement to transfer to a different unit when available and should an applicant now exist on the waiting list for the special unit.

The following occupancy ranges attempt to reflect ideal ranges of occupant density:

<u>UNIT SIZE</u>	<u>MINIMUM OCCUPANCY</u>	<u>MAXIMUM OCCUPANCY</u>
1 Bedroom	1	3

