

# **Haverstock Hills Resident Selection Plan**

## **RESIDENT SELECTION PLAN**

Welcome to our community! Before applying to rent an apartment, please take the time to review this Resident Selection Plan. If this community participates in an assistance housing program, the contents of this Resident Selection Plan are intended to incorporate the applicable requirements of the housing program including the HUD Occupancy Handbook (4350-1) for Section 8 residents and Rule 10.610 of the Texas Department of Housing and Community Affairs Uniform Multifamily Rules for various programs administered by the Texas Department of Housing and Community Affairs. If the property is subject to a particular housing program that requires compliance with program requirements, and this Plan conflicts with program requirements, the applicable requirements shall control. Please note that this is the current Resident Selection Plan for this community. Nothing contained herein constitutes a guarantee or representation that all residents and occupants currently residing here have met these requirements. There may be individuals who began residing at the community prior to these particular criteria going into effect; additionally, the ability to verify whether these requirements have been met is limited to the reliability of information received from applicants and outside services used.

### **I. NONDISCRIMINATION POLICY**

We fully comply with all applicable laws, ordinances, statutes, codes, orders, rules, regulations and decrees of the United States, Texas, and any other applicable governmental entity, including, but not limited to, laws prohibiting discrimination based upon race, color, religion, sex, familial status, national origin or disability and any other class protected by applicable law. Screening criteria will be applied uniformly and in a manner consistent with all applicable law, including the Texas and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act and applicable program guidelines and rules of the Texas Department of Housing and Community Affairs.

It is the owner's policy to comply with all applicable laws regarding requests for accommodations and modifications. Accordingly, the owner will make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling. Additionally, the owner will permit, at the expense of the person with the disability, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises. The owner will also comply with Section 504 of the Rehabilitation Act of 1973 with respect to modification requests, if applicable. Accommodation and modification requests can be made in any way allowed by law and requests will be responded to within a reasonable time considering the timing of and the nature and circumstances surrounding the request.

The owner will comply with applicable law protecting victims of domestic violence, dating violence, sexual assault, or stalking including the Violence Against Women's Reauthorization Act of 2013 ("VAWA"). VAWA provides that being a victim of domestic violence, dating violence, sexual assault, or stalking is not a basis for denial of assistance or admission to public or Section 8 tenant-based and project-based assisted housing. Incidents or threats of abuse against a victim will not be construed as serious or repeated violations of the lease by the victim or as other "good cause" for termination of the assistance, tenancy or occupancy rights of a victim. Moreover, VAWA prohibits termination of assistance, tenancy, or occupancy rights of the victim based on criminal activity directly relating to domestic violence, dating violence, sexual assault or stalking, engaged in or by a member of the resident's household or any guest or other person under the tenant's control if the resident or immediate member of the resident's household is a victim of that domestic violence, dating violence, sexual assault, or stalking. Pursuant to VAWA, the owner reserves the right to request certification from a resident that the resident is a victim of domestic violence, dating violence, sexual assault, or stalking and that the incidents of threatened or actual abuse are bona fide in determining whether the protections afforded under VAWA are applicable.

With respect to animal restrictions, specific animal, breed, number and weight restrictions and fee and deposit requirements will not apply to households having a qualified assistance animal.

## **II. APPLICATION REVIEW**

Pursuant to applicable statute, an applicant is deemed rejected if the owner does not give notice of acceptance of the applicant on or before the 7th day after the completed application is submitted. The statutory rejection period begins after the date applicant submits a completed rental application to the owner. An application will not be considered completed until the applicant completes or submits, as the case may be, all application paperwork, and any required documents to qualify the household for the applicable program. This includes, but is not limited to, replies from all employers, lenders, financial institutions, former spouses paying child support, educational institutions, government agencies, and entities to which inquiries are required to be made to qualify the applicant. Incomplete applications will be considered to be automatically withdrawn the 15th day after the date the application was first submitted. If an application is considered withdrawn pursuant to this process or cancelled at any point, we will be entitled to retain the application deposit as liquidated damages.

Once an application has been approved, automatically withdrawn or denied, the household will be notified of the result in writing. All decisions are considered final. If denied, a household must wait 90 days before applying/reapplying at any property with different information.

In order for an application to be approved, a household must meet all criteria including, but not limited to: (a) household members must meet all criminal background requirements; (b)

household must meet occupancy standards; (c) all household members must meet credit/rental history requirements; (d) household must be income eligible based on minimum and maximum income restrictions; (e) household members must provide required identification and required documents; (f) all applicable fees and deposits must be paid; (g) the household must not be ineligible under student status requirements; (h) the household's income and assets must be verifiable; (i) the household must agree to pay the rent and this amount must be approved under any subsidy being received; (j) all household members must cooperate during the verification process; (k) the residence must be the sole residence for the household; and (l) all application paperwork must be true, accurate, and complete.

An application will be denied if any of the following occur: (a) any household member does not meet criminal background requirements; (b) household does not meet occupancy standards; (c) any household member does not meet credit/rental history requirements; (d) the household is determined to be under or over income; (e) any household member is unable to provide identification or required documents; (f) applicable fees or deposits are not paid; (g) the household's income or assets are not verifiable or do not meet requirements under these criteria; (h) any household member fails to cooperate during the verification process; and (i) the residence will not be the household's sole residence.

An interview with the on-site Resident Manager and perspective household is required at the time of move -in. The applicant must notify the management if any information provided at the time of the application has changed.

The minimum rent requirement for this property is \$25.00. Should you not be able to pay this minimum Total Tenant Payment (TTP) amount, please ask to see a copy of our Financial Hardship Exemption Policy.

### **III. WAIT LIST POLICY**

Applications for this property may be obtained at the Leasing Office. If there are no current vacancies for an eligible applicant, the applicant will be placed on the Wait List once the Manager has reviewed the application for completeness and has verified all information is properly addressed. The application will be marked with the date and time received as of the date and time the application was delivered to the office.

All questions on the Application must be answered. If the question does not apply to the applicant or household an "N/A" should be placed in the answer space provided. All other questions should be answered with a yes, no, none, or as directed, complete with the information requested.

No applicant will be considered for occupancy until a completed application has been turned in to the Leasing Office. A completed application will be required prior to being placed on that wait list.

Any application that is not completed, signed, and dated will not be considered until such time it is completed. Rental applications which do not include phone numbers, addresses, and information for current and prior landlords, creditors, and references WILL NOT BE PROCESSED.

Vacant units will be assigned or offered to applicants from the Wait List in the following order respectively:

1. In-place residents (See Transfer Wait List Policy for more details)
  - a. Unit transfers for residents requiring accessibility features
  - b. Under-housed residents
  - c. Over-housed residents
2. New Applicants
  - a. Applicants whose income falls under the Extremely Low Income Limits (as per the requirements to meet the QWHRA regulations)
  - b. Applicants based on chronological order of submitting a completed application

When an accessible unit becomes vacant, before offering the unit to a non-disabled applicant, we will offer the unit: first, to a current occupant of another unit of the same community, or comparable community under common control (if any), having disabilities requiring the accessibility features of the vacant unit and occupying a unit not having such features, or, if no such occupant exists, then second, to an eligible qualified applicant on the wait list having a disability requiring the accessibility features of the vacant unit. When offering an accessible unit to an applicant not having a disability requiring the accessibility features of the unit, we may require the applicant to agree to move to a non-accessible unit when available.

The Wait List will remain open until such time that an announcement stating otherwise is posted at the leasing office. Should the applicant pool exceed the number of applicants that may be housed within a year's time period, the owner may opt to close the list for a specific time period.

Applicants should update their application every six (6) months with current information. Any applicant that fails to supply the requested update information within sixty (60) days from the original owner's request will be automatically taken off the Wait List.

### **Emergency Transfer Request under the Violence against Women Act (VAWA)**

**All information provided to Management concerning an incident(s) of domestic violence, dating violence, sexual assault, or stalking, and concerning your request for an emergency transfer shall be kept confidential. Such details shall not be entered into any shared database. Employees of the apartment community are not to have access to these details unless to grant or deny VAWA protections or an emergency transfer to you. Employees of the apartment community may NOT disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.**

If you are a victim of domestic violence, dating violence, sexual assault, or stalking and you are seeking an emergency transfer, you may use the HUD-5382 form for an Emergency Transfer Request and you must certify that you meet the requirements of eligibility for an emergency transfer under the Violence Against Women Act (VAWA). Although the statutory name references women, VAWA rights and protections apply to all victims of domestic violence, dating violence, sexual assault, or stalking. Using the HUD-5382 form does not necessarily mean that you will receive an emergency transfer.

The requirements you must meet are:

- **You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your apartment community does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, management may ask you for such documentation. In response, you may submit form HUD-5382, or any one of the other types of documentation listed on that Form.
- **You expressly request the emergency transfer.** Submission of the form HUD-5382 confirms that you have expressly requested a transfer. Management may choose to require that you submit form HUD-5382, or may accept another written request.
- **You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future. **OR**
- **You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you submit form HUD-5382 or otherwise expressly request the transfer.

**Submission of Documentation:** If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you should submit that documentation to Management if it is safe for you to do so.

**Examples of third party documentation include, but are not limited to:**

- a. A letter or other documentation from a victim service provider
- b. Social worker
- c. Legal assistance provider
- d. Pastoral counselor
- e. Mental health provider, or professional from whom you have sought assistance
- f. A current restraining order; a recent court order or other court records; a law enforcement report or records
- g. Communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media post.

#### **IV. PROJECT ELIGIBILITY REQUIREMENTS**

##### **A. Occupancy standards:**

The following occupancy standards will apply:

- Efficiency and one-bedroom units: ..... No more than two (2) people plus an additional person no more than 3 years old.
- Two (2) bedroom units:..... No more than four (4) people plus an additional person no more than 3 years old.
- Three (3) bedroom units: ..... No more than six (6) people plus an additional person no more than 3 years old.
- Four (4) bedroom units: ..... No more than eight (8) people plus an additional person no more than 3 years old.

##### **Additional occupancy requirements: (single persons in two bedrooms)**

A single person must not be permitted to occupy a unit with two or more bedrooms except for reasons required by applicable regulations including, when applicable:

- A person with a disability who needs a larger unit as a reasonable accommodation.
- A displaced person when no appropriately sized unit is available.
- An elderly person who has a verifiable need for a larger unit.
- A remaining member of a household when no appropriately sized unit is available.

##### **B. Citizenship requirements:**

Assistance in subsidized housing is restricted to US citizens and non-citizens that have eligible immigration status. All applicants for assistance are required to submit evidence of citizenship or eligible immigration status at the time of application. All household members, regardless of age, must declare their citizenship or immigration status. Non-citizens, except those ages 62 and older, must sign a Verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Non-citizens age 62 and older must sign a declaration of eligible immigration status and provide a proof of age document. US citizens must sign a declaration of citizenship.

A household with one or more ineligible household members and one or more eligible household members may receive prorated assistance, continued assistance, or a temporary deferral of termination of assistance. Applicants who hold a non-citizen student visa are ineligible for assistance, as are any non-citizen household members living with the student.

Financial assistance is contingent on submission and verification of citizenship or eligible immigration status. The type of evidence that must be submitted may include, but is not necessarily limited to, the following:

- a. From US citizens, a signed declaration of citizenship. We may also require verification of the declaration with a US birth certificate or US passport.
- b. For non-citizens 62 years or older, a signed declaration of eligible non-citizen status and proof of age.
- c. From non-citizens under the age of 62 claiming eligible status:
  - (i) A signed declaration of eligible immigration status;
  - (ii) A signed consent form; and
  - (iii) An acceptable DHS document showing eligible immigration status.

Evidence of citizenship or eligible immigration status must be submitted in order to consider the application to be complete. Assistance may be prorated, denied, or terminated, if any or all household members are determined ineligible for assistance.

If the applicant cannot supply the documentation immediately, the owner may grant the applicant an extension not to exceed 30 days, but only if the applicant certifies the documentation is temporarily unavailable and that additional time is necessary to obtain and submit the required verification.



The owner will not deny the household's assistance if the household submitted its immigration information in a timely manner but the DHS Verification or appeals process has not been completed.

### **C. Social Security Number Requirements:**

Applicants and residents must disclose and provide verification of their complete and accurate Social Security Numbers ("SSN") of all household members. Applicants who cannot provide SSNs for all household members are allowed to retain their position on the wait list however, they must provide appropriate documentation of a SSN for all household members before they are admitted.

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

For persons under the age of 6 in applicant households, that were added to the applicant household within 6 months of the date of admission the family must disclose and provide verification to the SSN within 90 days of the date of admission. An additional 90 day extension must be granted if delays are due to circumstances beyond the family's control.

When adding a new household member who is under the age of 6 to an existing household, the tenant must disclose and provide verification of the SSN of the individual to be added within 90 days of adding the new member. An additional 90 day extension must be granted if delays are due to circumstances beyond the family's control.

Individuals who do not contend eligible immigration status are not required to provide SSNs, and the household may be eligible for pro-rated housing subsidy provided at least one other household member is an eligible "citizen or national" or "eligible non-citizen" as indicated on the "Declaration Form" completed by the household.

If no-one in the household qualifies as an eligible "citizen or national" or "eligible non-citizen", the applicant is not eligible for housing assistance at this property.

All applicants that have indicated status as a "citizen or national" or "eligible non-citizen" must possess and provide a social security card.

Exception: A household member who was age 62 or older as of January 31, 2010, and is receiving assistance at another subsidized property and whose initial determination of eligibility began prior to January 31, 2010.

The Head of Household and all adult household members (age 18 and older) in each applicant household must sign and date a Consent for the Release of Information (HUD Forms 9887 and 9887-A) prior to receiving assistance and every year thereafter.

The unit applied for must be the only residence for the household. Information contained in the Enterprise Income Verification (EIV) System “Existing Tenant Report” will be used to confirm that the household or any household member is not receiving HUD housing assistance elsewhere through another Multifamily Housing, Public Housing, or Indian Housing property at the time the applicant is selected for move-in as per the *Enterprise Income Verification System (EIV) Use Policy*.

The household must agree to pay the agreed rent as required by the program under which the household will be receiving assistance.

Only U. S. citizens and eligible non-citizens may receive assistance. This means that at least one household member of the applicant household must be a U.S. citizen or verifiable eligible non-citizen. If some of the household members are not able to provide proof of their citizenship or of their eligible non-citizenship status, assistance will be prorated according to the number of confirmed eligible household member on the application for the unit.

When adding a new household member who is age 6 or older, or is under the age of 6 and has a SSN, the tenant must disclose and provide verification of the SSN of the individual to be added to the household. The SSN must be provided to the owner at:

1. The time of the request; or
2. At the time the recertification that includes the new household member is processed.

When adding a new household member under the age of 6 without an assigned SSN, the following applies:

1. The tenant must disclose and provide verification of the new household member’s SSN within 90 calendar days of the child being added to the household.
2. The tenant will be granted an extension of one additional 90 day period, if the owner, in its discretion, determines that the tenant’s failure to comply is due to circumstances that could not have been foreseen or were outside the control of the tenant (e.g., delay in

processing by the Social Security Administration, natural disaster, fire, death in family, etc.).

3. During the period that the owner is awaiting disclosure and verification of the SSN, the child will be included as part of the household and entitled to all of the benefits of being a household member.
4. A TRACS ID will be assigned to the child until the time the SSN is provided. At the time of the disclosure of the SSN, an interim recertification will be processed changing the child's TRACS ID to the child's verified SSN.
5. If, upon expiration of the provided time period, the tenant fails to disclose and provide verification of the SSN, the tenant and the tenant's household are subject to termination of tenancy.

#### **D. Income Limits:**

The household's income must not exceed the program income limits established by HUD on an annual basis and mandated for the property profile. This limit depends upon the type of subsidy and household size. The income limits are based on the median income of the geographic area for which the limit is established. Income limits are based on household size and the annual income the household receives.

The owner must lease no less than 40% of the dwelling units that become available for occupancy in any project fiscal year to extremely low-income families. The owner will advertise appropriately so as to meet this income-targeting requirement. Income levels of each applicant will be tracked to ensure that the minimum 40% is obtained each fiscal year. This property will use the following methodology in meeting this requirement.

If the residency at this property falls below the 40% threshold as set by the QWHRA Regulations, Management will only pull and screen applicants from the Wait List that fall under the extremely very-low income mark. The property will process, screen, and admit applicants from the Wait List who fall under the extremely low-income threshold until the 40 % threshold is met.

All applicants "jumped" to achieve this goal will maintain their place on the Wait List and the Wait List will be annotated to signify the applicant was jumped for this specific reason. Once the goal is reached management will return to the procedures outlined in this policy; pulling applicants on a first come, first serve basis.

## **E. Rental and Credit History:**

In addition to the other eligibility requirements in this Plan, the applicant must meet the following:

- The applicant must have the ability to pay rent and to adhere to the lease agreement. Verification of current and prior rental history for 5 years will be obtained. Having no prior rental history will, however, not be a justifiable reason to deny an application.
- The Household size must be appropriate for the size of the unit to be occupied.
- Rental history will be checked. Poor rental history (an outstanding balance at a past residency) within the last 3 years will result in denial. Lack of rental history will not alone result in disqualification.
- Although credit reports will be processed, the score will not result in the denial of an application unless the report reflects a balance owed to a past residency or an eviction. Lack of credit will not result in denial of an application.

## **F. Criminal History:**

A criminal history check will be submitted on all applicants and occupants 18 years of age and older.

a. Applicants will be denied if convicted of offenses listed under Section 3g (a) (and similar offenses in jurisdictions outside of Texas) of the Texas Code of Criminal Procedure including the following offenses:

- Murder
- Capital murder
- Indecency with a child by contact
- Aggravated kidnapping
- Aggravated sexual assault
- Aggravated robbery
- An offense under Chapter 481 of the Texas Health and Safety Code, for which punishment is increased under:
  - Section 481.140 of the Texas Health and Safety Code; or
  - Section 481.134(c), (d), (e), or (f) of the Texas Health and Safety Code, if it is shown that the offender has been previously convicted of an offense for which punishment was increased under the aforementioned subsections
- Sexual assault
- Injury to a child, elderly individual, or disabled individual, if the offense is punishable as a felony of the first degree and the victim of the offense is a child

- Sexual performance by a child
  - An offense under Section 15.03 of the Texas Penal Code, if the offense is punishable as a felony in the first degree
  - Compelling prostitution
  - Trafficking of persons
  - Burglary, if the offense is punishable under Section 30.02(d) of the Texas Penal Code and the actor committed the offense with the intent to commit a felony under Section 21.02, 21.11, 22.011, 22.021, or 25.02 of the Texas Penal Code
  - Any offense where the offender used or exhibited a deadly weapon during the commission of a felony offense or during immediate flight therefrom
- b. Applicant(s) will be denied if receiving a reportable conviction or adjudication, as defined by Article 62.001 of the Texas Code of Criminal Procedure (and similar offenses in jurisdictions outside of Texas) which requires offenders to be registered as a sex offender.
- c. Applicant(s) will be denied if convicted of the illegal manufacture or distribution of a controlled substances as defined in Section 102 of the Controlled Substances Act.
- d. Applicant(s) will be denied if convicted or subject to deferred adjudication for a felony (and similarly classified offenses in jurisdictions outside of Texas) not listed above if the incarceration, probation, or deferred adjudication period was completed within 10 years from the date of application.
- e. Applicant(s) will be denied if convicted or subject to deferred adjudication for a Class A or B misdemeanor (and similarly classified offenses in jurisdictions outside of Texas) if the incarceration, probation, or deferred adjudication period was completed within 5 years from the date of application.

You MUST be willing to discuss any criminal activity on your report or provide additional information, if further explanation or information is required.

Please remember that this requirement does not constitute a guarantee or representation that residents or occupants currently residing at the property have not been convicted of crimes. There may be residents and occupants that have resided at the property prior to this requirement going into effect, additionally our ability to verify this information is limited to the information made available to us by the credit reporting service.

## **G. Recertification Process and Procedures:**

An annual recertification must be completed on or before the move-in date anniversary. Residents will be notified in writing according to the HUD guidelines that their recertification

date is approaching. Failure on the part of the resident to cooperate with the management in obtaining information will result in the resident being charged market rent. Residents are notified of any change in the resident portion of the rent in writing at least thirty (30) days prior to the increase coming into effect.

Residents are also required to notify the management of changes in the household configuration, citizenship status, medical expenses, or an increase in the household's income of \$200.00 or more per month. In addition, new employment for a previously unemployed member must be reported. This will result in an interim recertification to reflect those changes in the resident's portion of the rent. Failure to report such occurrences in a timely manner may result in the resident being charged market rent or eviction.

Information obtained from the Enterprise Income Verification System (EIV) in accordance with the Enterprise Income Verification System (EIV) Use Policy will be used to verify the household's employment, unemployment benefits, and benefits received through the Social Security Administration, and potential multiple subsidies.

#### **H. Student Status:**

Section 8 assistance shall be provided to any individual who is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential; when the student:

- 1) Is individually eligible to receive Section 8 assistance or has parents who are income eligible to receive Section 8 assistance;
- 2) Is a veteran of the United States military;
- 3) Is married;
- 4) Has a dependent other than a spouse (e.g. dependent child);
- 5) Is a person with disabilities, as such term is defined in section 3(b)(3)(E) of the 1937 Act and was receiving assistance under section 8 of the 1937 Act as of November 30, 2005;
- 6) Is living with his or her parents who are receiving Section 8 assistance.
  - If a student does not meet the eligibility criteria above, but can prove independence from parents under HUD rules, then the student would meet HUD's student eligibility criteria.
  - If an ineligible student applies for or is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated.
  - *NOTE: An owner cannot evict or require an ineligible student to move from a unit as long as the student is in compliance with the terms of the lease.*
  - In addition, notification of when the *VAWA* Notice and Certification will be provided to the applicants/tenants. Beginning on December 16, 2016, owners/agents were required to provide the *Notification of Occupancy Rights* (form

HUD-5380) and *Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation (form HUD-5382)* forms to existing residents, new move-ins, rejected applicants, when a termination of assistance or tenancy notice is issued, and when an eviction is notice issued.

Section 8 assistance will not be allowed to any individual who:

- 1) Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential;
- 2) Is under 24 years of age;
- 3) Is not married;
- 4) Is not a veteran;
- 5) Does not have a dependent child;
- 6) Is not a person with disabilities as defined by federal law and was not receiving assistance prior to November 30, 2005;
- 7) Is not living with his or her parents who are receiving Section 8 assistance; and
- 8) Is not otherwise individually eligible, or has parents who, individually or jointly, Are not eligible, to receive Section 8 assistance.

If the Student is classified as Vulnerable Youth; A student meets HUD's definition of a vulnerable youth when:

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

- e) The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.
- Any financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition and other fees is included in annual income, except;
  - If the student is under the age of 23 with dependent children or
  - If the student is living with his or her parents who are receiving Section 8 assistance.
- Financial assistance that is provided by persons not living in the unit is not part of annual income if the student meets the Department of Education’s definition of “vulnerable youth”.

## **V. REASONS FOR REJECTION OF AN APPLICATION**

Applicants to this property may be rejected for any of the following:

1. A record of unfavorable past performance of non-payment of financial obligations as indicated on the credit history report in the form of previous negative rental history or evictions.
2. Past rental history including non-payment of rent, failure to cooperate with applicable recertification procedures, violations of the lease and house rules, history of disruptive behavior, and/or unfavorable housekeeping violations.
3. Termination of past assistance for fraudulent activity.
4. Previous evictions from a federally funded program in the past three (3) years for reasons involving drugs or drug related activity. (In instances where applicant can provide proof of completing a court mandated rehabilitation program or if the circumstances leading to the eviction no longer exist, the owner may admit the applicant but it is not mandatory).
5. Failure to disclose information or providing incorrect or false information on the application.
6. Any household member is currently engaged in illegal use of a drug and the owner or management believes that the member’s current pattern of illegal use of a drug will interfere with the health, safety, or peaceful enjoyment of the premises by another resident.



7. Any household member's behavior due to the abuse or pattern of abuse of alcohol and the owner or management reasonably believes this abuse or pattern of abuse of alcohol will interfere with the health, safety or peaceful enjoyment of the premises by another resident.
8. Household exceeds occupancy standards for the specific unit applied for at the time of move-in.
9. The household will be receiving HUD assisted subsidy at another residence at the time of move-in.
10. The household fails to provide the necessary documentation required to determine eligibility for the Section 8 program.
11. The household fails to provide required SSNs.
12. Applicant's failure to meet all the requirements of the property-specific screening criteria discussed above.
  - All applicants who are rejected will receive the notification of the rejection in writing and the reasons for the denial of the application stated. The applicant will be allotted the mandatory fourteen (14) days to dispute the rejection.
  - At the applicant's request, translations or assistance to accommodate a verifiable disability in executing or participating in the appeals process will be made available at the cost of the property.
  - The owner may consider extenuating circumstances regarding the screening process and while evaluating the information obtained during this process to assist in determining the acceptability of an applicant for tenancy, providing such considerations are consistent and not discriminatory.

## **VI. MEETINGS WITH APPLICANTS TO DISCUSS REJECTION NOTICES**

Upon an applicant's request, a member of the owner or management staff who was not involved in the initial decision to deny admission or assistance will conduct any meeting with the applicant to discuss the applicant's rejection.

Within 5 business days of the owner response or meeting, the applicant will be advised in writing of the final decision on eligibility.

Note: Persons with disabilities have the right to reasonable accommodations to participate in the informal hearing. Should you believe you qualify for these rights, as supported by government regulations, please notify the management and a determination of your qualifications will be completed. If you qualify for these rights, they will be afforded to you at the expense of the property.