

SCREENING PROCESS

The application is processed in the following order, and if rejected at any point, further processing is not necessary:

1. Determination if applicant meets the **Eligibility Criteria** set forth below.
2. Determination if applicant meets the **Occupancy Standards** set forth below.
3. Determination if applicant meets the **Lease Compliance Standards** set forth below.

Screening should begin after an applicant has submitted a substantially complete application (RS-1hr), been placed on the Waiting List, had a preference code assigned and been notified of their placement (form RS-30hr – Notice of Status of Application).

A displacee from a federally declared disaster (the number one priority or preference code) must be verified within 90-days of selection for residency. If the application from a displacee is older than 90 days, the preference status must be re-verified.

Before the screening process begins, the Property Manager should review the application for all pertinent information, including whether or not the applicant or a household member is currently receiving assistance at another property. The applicant should then be contacted to complete the final part of the application and screening process. Submission of required documentation must be provided as explained below. Household members must also sign and complete all declarations, consents and all other appropriate income, asset, allowance and deduction verification forms.

Eligibility Criteria:

In order to be considered for occupancy, applicants must meet the eligibility criteria as set forth below: (Reference: The HUD 4350.3 REV-1 Occupancy Handbook.)

1. The applicant is a single person or household whose head of household is at least 18 years of age, or has been emancipated (see definition below); *and*,
2. Any applicant applying for housing units with special accessibility features must be able to provide third party documentation of need for such a unit. (*Regional Property Supervisor will approve the documentation.*)
3. The applicant's household annual income must not exceed the appropriate HUD income limit (as set forth by the appropriate published annual income limits). Please also see the "Income Level/Program Type Chart" section for other property requirements.
4. The applicant must agree to pay the rent required by the HUD program under which the household will be receiving assistance.

5. Family housing may be occupied by any combination of elderly, non-elderly, disabled, non-disabled; persons with or without familial status that meet the "Occupancy Standards" listed below.
6. In cases of housing specifically designed for elderly and/or disabled residents, an Addendum containing additional eligibility criteria is attached to this plan.
7. Only U.S. citizens or nationals; and non-citizens who have eligible immigration status may receive assistance under Section 8, Section 236, Section 202/8, Rent Supplement or Rental Assistance payment (RAP). At least **one** household member must be eligible in order for a household to receive housing assistance. Therefore all household members, regardless of age, must declare their citizenship or immigration status. All members of the applicant's household must complete a "214 Review Declaration" to determine their status. Management will provide this form to each household member. Parents or guardians will complete the form for children (minors). This is not required for foster children, foster adults, or live-in aides.

For persons other than "declared" ineligible status or U.S. citizens, a "Systematic Alien Verification for Entitlements Program" (S.A.V.E.) will be run through the U.S. Department of Homeland Security to determine citizenship status. Generally this step is taken once unless there is evidence that immigration status or household composition is likely to change.

If a household member's citizenship status is "pending" or he/she cannot supply the required documentation within 30 days prior to the expected move in date, the household member can be offered a temporary initial deferral for a period of six months to allow them time to provide the required documentation. The household will receive housing assistance during this time. The deferral may be extended for an additional six-month period, but *not to exceed 18 months*. If the immigration or citizenship status cannot be determined within this time frame, assistance for this member will be terminated and the household's rent and housing assistance will be prorated per HUD 4350.3 REV-1 Handbook regulations. Proper written notice will be sent to the household before any action is taken.

Exception: If the household receiving assistance on June 19, 1995 includes a refugee under section 207 of the Immigration and Nationality Act, or an individual seeking asylum under section 208 of that Act, a deferral period. The 18 month deferral limitation does not apply.

8. Effective January 31, 2010, all household members must provide:
 - The complete and accurate Social Security Number (SSN) assigned to each member of the applicant's household; and,
 - Documentation/verification to prove that the SSN is accurate.

For eligibility purposes, the requirement to disclose a SSN is waived if **no** SSN has been assigned **and:**

- A household member is 62 years of age or older as of January 31, 2010 and HUD rental assistance eligibility determination started as of January 31, 2010.
- A household member is an ineligible non-citizen. This household member does not qualify for assistance therefore household assistance will be prorated. Form TC-6(a) "Certification That a SSN Has Never Been Assigned" will need to be completed.

If a household member is under the age of six, **and does not have a SSN**, the applicant household will have **90 days** to provide the SSN and adequate documentation that the SSN number is accurate. An additional 90-day period must be granted if the failure to provide documentation of a Social Security Number is due to circumstances that are outside the control of the resident and in accordance with HUD Requirements. Examples include but are not limited to:

- Delayed processing of the Social Security Number application by the Social Security Administration;
- Natural Disaster; Fire;
- Death in the family.

Please refer to Appendix 3, page 14 of the HUD 4350.3 Handbook, REV-1, Change 3, for acceptable forms of proof.

The Owner/Agent must deny and/or terminate HUD assistance, in accordance with the provisions governing the program if the assisted applicant does not meet the applicable SSN disclosure, documentation, and verification requirements.

The SSN provided will be compared to the information recorded in the Social Security Administration database (***through HUD's Enterprise Income Verification System - EIV***) to ensure that the SSN, birth date and last name match. If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any assistance paid in error must be returned to HUD. If the applicant/resident deliberately provides an inaccurate SSN, the Owner/Agent and/or HUD may pursue additional penalties due to attempted fraud.

All residents (existing), except those who are exempt, must disclose and provide verification of their Social Security number if:

- They have not previously disclosed a Social Security Number;

- Previously disclosed a Social Security Number that HUD or the Social Security Administration determined was invalid (the head of household will be notified of this discrepancy); or,
- Been issued a new Social Security Number.

Failure to provide this information will result in termination of tenancy. The Owner/agent may defer termination of tenancy and provide the resident with an additional 90 days to become compliant with the Social Security Number disclosure and verification requirements. The deferral is at the Owner/Agent's discretion and must only be provided if failure to meet the Social Security Number requirements was due to circumstances outside the control of the resident, and, there is a likelihood that the resident will be able to disclose and provide verification of the needed Social Security Number(s) by the deadline date.

There is ***no*** proration of assistance for those household members who are required to obtain a Social Security Number but who fail to disclose and verify their Social Security Number.

9. HUD restricts individuals **who are:** (1) enrolled at an institution of higher education (part-time or full-time students); under the age of 24; not a veteran; unmarried, and do not have a dependent child; **and,** (2) seeking assistance under Section 8 of the United States Housing Act of 1937 in their individual capacity (that is, separately from their parents) from receiving Section 8 assistance if neither the student nor the student's parents are income eligible.

Under HUD's rule, the eligibility of a student seeking Section 8 assistance will be examined along with the income eligibility of the student's parents. Both the student's income and the parents' income must be separately assessed for income eligibility. Additionally, the financial assistance (not student loans) of the student in excess of tuition will be included in the annual income when determining the student's eligibility for Section 8 assistance, unless the student is over the age of 23 with a dependent child. The Rule does ***not*** apply to students residing with their parents in a Section 8 assisted unit or who reside with parents who are applying to receive Section 8 assistance.

A student under the age of 24 who meets the following criteria may be income eligible for assistance where the student can demonstrate the absence of, or his/her independence from, parents. The criteria include, but are not limited to, consideration of ALL of the following: The individual must -

1. Be of legal contract age under state law.
2. Be ***disabled*** and was receiving Section 8 assistance as of November 30, 2005.

3. Have established a household separate from parents or legal guardians for at least **one year** prior to application for occupancy or meet the U.S. Department of Education's definition of an independent student (see form RS-24h).
4. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.
5. Obtain a certification of the amount of financial assistance that will be provided by parents. This certification is required even if no assistance will be provided.

Student circumstances can affect the entire household. If an ineligible student is applying to live in an existing assisted household or is already part of an existing household that household can lose the Section 8 assistance and may have to pay the market rate rent for the unit.

10. An applicant who certifies that they are the victim of domestic violence would be allowed to be admitted – even with poor credit and/or poor landlord evaluations – if they can show that the cause of these negative factors was domestic violence, dating violence, sexual assault or stalking. Please refer to the “Violence Against Women (VAWA) Policy” and the “Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking” policies.

Where someone is abusive to other members of the household, only the abuser may be denied or evicted.

Residents in assisted housing facing threat of domestic violence, dating violence, sexual assault or stalking or threat of such violence can be allowed early lease termination for a matter of safety.

11. The applicant's household is eligible for assistance only if the unit will be the household's **only** place of residence. The Owner **must not provide** assistance to applicants who will maintain a residence in addition to the HUD-assisted unit.

Emancipation:

State statute declares that anyone under the age of 18 is a minor. A person under the age 18 may be considered legally emancipated by one of the following:

- Current or prior lawful marriage
- Active duty in the armed forces of the United States of America
- Valid emancipation court order

Occupancy Standards:

The following standards apply in determining the size apartment for which an applicant household will qualify at the time of move-in.

Bedroom Size	Minimum	Maximum
0	1	2
1	1	3
2	2	5
3	3	7
4	4	9

Applicants will be placed on the Waiting List for the unit size they have requested and will meet the occupancy standards.

An applicant will be deemed **not** to meet the occupancy standards if the total number of persons in the household exceeds the maximum number of persons permitted by the Occupancy Standard in the largest unit on the property.

Lease Compliance Standards:

All applicants and household members found to meet the “Eligibility Criteria” and “Occupancy Standards” will next be screened as to their ability and willingness to comply with the lease (Rental Agreement). The purpose of this Screening Process is to identify those otherwise qualified applicants and household members whose past record would indicate that they are unlikely to comply with the terms of their lease if they are provided housing. The “Lease Compliance Standards” are as follows:

- Will he/she pay rent and other housing obligations in a timely manner (not applicable to Live-in Aide or Attendant); and,
- Will he/she maintain an apartment, including common areas, in a safe, decent and sanitary condition; and,
- Will he/she respect the rights and quiet enjoyment of other residents; and,
- Will he/she report all changes in income and household composition in a timely and accurate manner and fully cooperative with recertification procedures (income is not applicable to Live-in Aide or Attendant); and,
- Will he/she comply with the requirement that only persons who are on the lease may live in the unit, and,
- Will he/she refrain from damaging the property of the Owner and other residents; and,

- Will he/she refrain from committing criminal acts on or off the property?

Leasing Compliance Screening Criteria:

Management is currently using the “ONESITE Screening Module” to screen applicants for housing. The ONESITE Screening Module has been set to follow the guidelines under this “Screening Process” policy that is a part of the “Resident Selection Policy”. *Please see the ONESITE Rental Criteria Checklist attached to/following this policy.*

Determination as to whether an applicant or household member meets the “Lease Compliance Standards” is based on information obtained from the following sources:

- Housing Provider Questionnaire Form (RS-4) – Property Managers will be responsible to complete a Housing Questionnaire for each adult household member age 18 years or older listed on the application, including emancipated minors and Live-in Aides at his/her most current address. Should the current Housing Provider be related to the applicant, or the rental history is of less than six (6) months duration, one (1) more rental screening from the second most recent Housing provider will be needed. Exception: This will not apply if the applicant has always lived with his/her parents or relatives.
- Credit Report – Property Managers will be responsible for obtaining a credit report on each applicant, each household member aged 18 years and older, through the service company specified by Management. Credit reports are valid for **60** days. (Does not apply to Live-in Aide or Attendant.)
- Criminal Records – Property Managers will be responsible for obtaining a criminal background check on each applicant head of household, each household member aged 18 years and older, and each Live-in Aide or Attendant through the service company specified by Management. If persons *under* 18 years of age living in the household have a criminal background, the parents or legal guardian will be responsible to divulge this information to Management. Management can reject the household based on the juvenile criminal history as well. If an applicant or household member has lived out-of-state during the last **five** years, police reports are required from each state in which any adult member of the household has resided during the last **five** years. Again, parents or legal guardians must divulge this information for persons age 18 years and younger. Criminal Reports are valid for **60** days.
- National and State Sex Offender Registry Agencies – Property Managers will be responsible for obtaining a background check from the National and State Sex Offenders Registry Agencies for each applicant head of household, each household member aged 18 years and older, and each Live-in Aide or Attendant through the service company specified by Management. If an applicant or household member has lived out-of-state, this information will be required from each state in which any adult member of the household has resided. This

information will be obtained from the parents or legal guardians of persons under 18 years of age.

The applicant will be deemed to **not** meet the “Lease Compliance Standards” if one or more of the following are true:

1. If prior and current landlord screenings show that any adult in the applicant household was evicted or had eviction proceedings brought against him/her; was evicted for drug related criminal activity within three (3) years from the eviction; removed or abused property; was a nuisance (noise, pets, etc.); had a repeated history of late payments during residency^{**}; still owes an amount^{**}; violated the lease in any other significant way; failed to cooperate with recertification procedures (if applicable) or failed to meet any other financial obligations of the landlord. (Rental obligations do not apply to Live-in Aides or Attendants.) (^{**}Refer to paragraph #2 below for more information.)
2. At least one adult household member must **pass** the **credit** history evaluation. Credit reports must be evaluated on the following guidelines: (Does not apply to a Live-in Aide or Attendant.).
 1. Each credit report shall be evaluated on a pass or fail basis.
 2. *Evaluation* (pass or fail) will be made by an independent credit screening company that is chosen by the Regional Property Supervisor.
 3. CRITICAL TEST: If the credit report(s) shows that any adult head of household has a credit rating of **500 or above**, the applicant shall be considered to pass.
 4. If the credit rating for the household is **below 500, is stated as insufficient credit or no credit**, the household shall be considered to fail.

Failed credit can be overcome by a decision of the Regional Property Supervisor (in writing) and/or in *one or more* of the following ways:

- Having an approved rent guarantor sign a “Guarantor of Lease Application* (Forms RS-6, pass a credit screening and sign an addendum (RA-5) to the applicant's lease). See Guarantor(s) of Lease section below; or,
- In cases where a head of household has previously begun to receive rental assistance, and the person's credit became acceptable (pass criteria above) after having received rental assistance; or,
- The household will *begin* receiving Section 8 Rental Assistance (if applicable to property) with this occupancy.

3. *Insufficiency of Income (Does not apply to HUD Section 8 applicants or to Live-in Aides or Attendants.)*

If the household income is insufficient to pay the rental amount, in order to show income sufficiency, the total income and resources of the household must be sufficient to meet all other needs of the household in addition to paying the proposed monthly rent. This is determined as follows:

- Where the applicant's estimated rent will exceed 50% of the household's gross income, his/her income will be considered to be insufficient unless one of the following is true:
 - (1) A monthly budget showing all income and expenses must show sufficient income to pay rent. Determination of household expenses can be obtained from credit reports, applicant, bank records, etc.
 - (2) The applicant has at his/her current income level, established and met a recent payment record where the rental amount was equal to, or greater than the proposed rental amount at this property for a period of **three months**.

Insufficiency of income can be overcome by having an approved rent guarantor sign a "Guarantor of Lease Application" (Form RS-6, pass a credit screening and sign an addendum to the applicant's lease). See Guarantor(s) of Lease section below.

4. If any household member (including juveniles) is a *current user of illegal drugs or there is "reasonable cause" to believe a household member's use or pattern of use of illegal drugs or alcohol abuse interferes with the health, safety or right to peaceful enjoyment of the premises by other residents*. Examples for determining *current illegal use and reasonable cause* include:

- Discovery of controlled substances or drug paraphernalia or evidence of drug manufacture in a residence occupied by any member of the household.
- Conviction of any household member for any drug-related crime.
- Repeated disturbances caused by alcohol abuse. A determination made by a previous landlord that a household member's abuse or pattern of abuse of alcohol threatens the health and safety or right to peaceful enjoyment of the premises by other residents.
- Statements from qualified professionals knowledgeable of the applicant, or any household member, or credible statements from other third parties such as housing providers and police reports.

When rejecting such an application, the applicant must be given an opportunity to demonstrate that the household member is *not a current abuser of alcohol or a current illegal user of drugs* by introducing verifiable, written evidence of rehabilitation.

5. The applicant's household includes a member (including juveniles) who has been **convicted** (as defined below) of:
 - Within the past **two** (2) years: Misdemeanors against persons or property of another such as vandalism, graffiti, malicious mischief, etc.
 - Within the past **ten** (10) years: violent criminal activity involving the actual or threatened use of physical force against another person, including but not limited to battery, any illegal drug related activity (including sale, distribution, manufacture, possession, or use of a controlled substance); or, any other felony such as burglary, receiving stolen merchandise, simple assault, disorderly conduct; etc.
 - Within a lifetime: murder, rape, child molestation, kidnapping, armed robbery, or any felony involving a firearm/weapon, and sex offenders who are subject to registration requirements under any state offender program.
 - Within five (5) years of the application date: An ongoing or concluded incarceration, work release, parole or probation resulting from the conviction.
6. An applicant may be denied admission if the *criminal background report* indicates that the applicant provided false information during the screening process. Once the determination to deny the applicant has been made, the following will occur:
 - The applicant must be notified of the proposed denial of admission
 - The subject of the record and the applicant must be provided with a copy of the information the action is based upon.
 - The applicant will be provided the opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.
7. If the applicant's household includes a member whose past actions indicate that one or more of the "Lease Compliance Standards" will not be met.

Accommodation for addicts or mentally disturbed:

If an application is rejected for any of the above reasons and the applicant/household member claims to have been addicted to a substance or mentally disabled/ill at that time, he or she must then be given an opportunity to present mitigating circumstances. Since these are protected *individuals* under the Fair Housing laws, an opportunity to

demonstrate that a reasonable accommodation by Management would allow the applicant/household member to be an acceptable resident.

It is up to the applicant/household member to tell the Property Manager that he or she deserves or wants reasonable accommodation, otherwise the rejection stands and no accommodation is given.

Whenever you are dealing with an alcoholic, drug addict or a person with a mental disability, you can hold them to the same standard of behavior and use the same Resident screening criteria that you would persons who don't have a disability even if the objectionable conduct is caused by the disabling condition.

If the applicant/household member has a history of abusive behavior toward other residents, you can deny the application even though the behavior is the result of mental illness. Similarly, if a resident violates the terms of his/her lease, he/she can be evicted even though the violation was the result of mental illness. Generally, if the objectionable behavior appears to be of a continuing or recurring nature, you should use this as a basis for denying the application. Examples of these would include bad credit history, repeated late payment of rent, and interference with the quiet enjoyment of other residents.

On the other hand, if you have reasonable assurance that the problem which would ordinarily require denial was an isolated incident, which is not likely to recur, and the applicant's/household member's history is otherwise acceptable, you should take mitigating circumstances into account and accept such an applicant/household member. An example of this situation would be where a person had been unexpectedly institutionalized for addiction or mental illness, which caused him/her to be temporarily late in making his/her payments, but the person had an otherwise good credit history. If the institutionalization was not unexpected, the applicant should have made provision for the timely payment of his/her obligations.

Guarantor(s) of Lease: (Insufficient income does not apply to HUD Section 8)

If an application is denied because of insufficient income or failed credit, the application will be reconsidered by the Regional Property Supervisor in the event that a qualified Guarantor(s) of Lease is found. A Guarantor(s) of Lease will be considered qualified if he/she meets all of the following requirements:

1. Completes Guarantor of Lease Application (form RS-6) and provides required income and credit (payment history) verifications.
2. Meets the screening criteria with regard to credit evaluation for applicants.
3. Is buying a home, owns a home, or has an executed lease agreement at current residence and was not late on payments more than once in each year of residency.

4. Debt ratio not to exceed 50% of their gross income.
5. Signs an addendum to the applicant's lease which guarantees that rent will be paid in a timely manner on the leased unit.

Denials or Rejections of Applications:

Property Managers will be responsible for obtaining the information above. In cases where a denial or rejection may be indicated, the Property Manager will contact the Regional Property Supervisor regarding **“Occupancy Standards”** and/or **“Lease Compliance Standards”** screenings, or, the Occupancy Compliance Supervisor regarding **“Eligibility Criteria”**.

Once the denial or rejection has been reviewed, the Regional Property Supervisor or the Occupancy Compliance Supervisor, as relevant, will give his/her decision in writing and return the information to the Property Manager.

The Property Manager will issue a “Notice of Status of Application” (form RS-30) to the applicant that will state the reason for the rejection. All written responses from the Regional Property Supervisor or the Occupancy Compliance Supervisor will be placed in the applicant’s file for reference.

Applicants have the right to respond to the “Notice” in writing or request a meeting within 14 days of receipt of the letter to dispute the rejection. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

Should the rejection be challenged by the applicant the Regional Vice-President or his designated agent will review the information. Within 5 business days of the Regional Vice-President’s response or meeting, the applicant will be sent a written notice of the final decision on eligibility for housing.