



EMPOWERING PEOPLE AND PROMOTING HOUSING OPPORTUNITY

Affordable Housing
RESIDENT SELECTION PLAN FOR NEIGHBOR to NEIGHBOR
SECTION 8 SUBSIDIZED RENTAL HOUSING
Effective 11.01.05 Last Updated 11.20.07 – Student Rules Updated 10.10.2008

INTRODUCTION: The procedures used for selection of residents shall be implemented in compliance with the Department of Housing and Urban Development (HUD) Handbook 4350.3, as amended, and all other applicable federal statutes and regulations.

NON-DISCRIMINATION: Neighbor to Neighbor shall comply with all federal, state and local fair housing and civil rights laws and with all equal opportunity requirements as required by law, including without limitation HUD administrative procedures. Federal laws forbid discrimination based on race, color, creed, religion, sex, age, disability, familial status, or national origin. Discrimination against a particular social or economic class is also prohibited (for example: welfare recipients; single parent households, etc.) These requirements apply to all aspects of tenant relations including without limitation: accepting and processing applications, selecting residents from among eligible Applicants on the waiting list, assigning units, certifying and re-certifying eligibility for assistance, granting accommodation and terminating tenancies.

ELIGIBILITY FOR RENTAL ASSISTANCE: Applicants seeking rental assistance in subsidized rental developments must meet the following eligibility factors:

1. Household must meet eligibility criteria for the specific apartment community:
 - a. Family Apartment Communities do not restrict occupancy to a certain population.
2. The household’s annual income may not exceed applicable Income Limits, which include Low and Very Low Income Households. The limits that apply vary by county and the numbers of Low Income Households are restricted by HUD programmatic requirements.
 - a. Management will require verification of family composition when it is necessary to do so in order to determine income eligibility.
3. The Applicant agrees to pay the portion of rent required by the subsidy program.
4. The unit must be the Family’s only residence.
5. At the time of admission, the Applicant may not be receiving Section 8 assistance on another housing unit.
6. Household must meet citizenship or immigration status requirements as follows and submit applicable documentation:
 - a. A Family shall not be eligible for assistance unless every member of the Family residing in the unit is determined to have eligible status, with the exception noted herein. Despite eligibility of one or more Family member, a mixed Family may be eligible for pro-rata assistance.

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7. Each member of the household who is 2 months or older must provide a valid social security card (or evidence of Social Security Number acceptable to management) or evidence application for the card if social security number has not been assigned.
 - a. Applicant must submit Social Security numbers (for all household members 2 months or older) within 60 days of application in order to remain on the waiting list or to participate in the rental assistance program.
8. Regulations for Households whose Head or Co-Head of Household are full or part time students are as follows:

Eligibility restrictions imposed on students enrolled in institutions of higher education is set out in 2 parts.

1 .Eligibility restrictions provide as follows:

- No assistance shall be provided under section 8 to any individual who:
 - i. Is enrolled as a student at an institution of higher education, as defined under section 102 of the Higher Education Act of 1965
 - ii. Is under 24 years of age
 - iii. Is not a veteran of the United States military
 - iv. Is unmarried
 - v. Does not have a dependent child, and
 - vi. Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive assistance under section 8.

For a student under the age of 24 who is not a veteran, is unmarried, does not have a dependent child and who is seeking section 8 assistance, a two-part eligibility test must be met. Both the student and the student's parents (individually or jointly) must be eligible for the student to receive section 8 assistance. If it is determined that the parents are not income eligible, the student is ineligible to receive section 8 assistance.

A student under the age of 24 may be income eligible for assistance in circumstances where an examination of the income of the student's parents may not be relevant if the student can claim the absence of or the independence of the student from his or her parents. The criteria for independence include but are not limited to:

- The individual must be of legal contract age under state law.
- The individual must have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, or the individual meets the U.S. Department of Education's definition of an independent student which requires the student to meet one or more of the following criteria:
 - i. Be at least 24 years old in the year that assistance is sought.
 - ii. Be an orphan or a ward of the court through the age of 18.
 - iii. Be a veteran of the U.S. Armed Forces
 - iv. Have legal dependants other than a spouse.
 - v. Be a graduate or professional student.
 - vi. Be married
- The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.
- The individual must obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. The certification is required even if no assistance will be provided.
- This law will not affect students residing in section 8 units with his or her parents or who reside with parents who are applying to receive section 8 assistance.

2. For section 8 programs, any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education, shall be considered income to that individual, except that financial assistance described in this paragraph is not considered annual income for persons over the age of 23 with dependent children. For purposes of this paragraph, "financial assistance" does not include loan proceeds for the purpose of determining income. If the student's financial assistance in excess of tuition makes the student ineligible for section 8 assistance, the student cannot receive section 8 assistance.

ELIGIBILITY OF SINGLE PERSONS: Eligible Single Persons include those persons 18 years of age or older Eligible single persons may not be offered a two-bedroom apartment except: (1) in situations requiring reasonable accommodation;



(2) for an elderly person with a verifiable need for the larger apartment or (3) for a Displaced Person if there are no one-bedroom apartments available.

APPLICATION REQUIREMENTS: Anyone who wishes to secure housing must fully complete the application form provided by Neighbor to Neighbor. The information provided must contain enough information for management to make an initial determination of the income eligibility of the household; the size of unit desired or needed and sufficient information to screen Applicant's prior landlord history. Applicants must consent to management's requirement to secure a credit and criminal background history and must provide sufficient information to enable management to secure such reports. Incomplete applications will not be processed.

CHANGES IN INCOME OR FAMILY COMPOSITION FOR WAITING LIST APPLICANTS: If an Applicant's income changes to an amount which is no longer eligible under the limitations of the assistance program by the time the application reaches the top of the waiting list, written notice will be given advising the Applicant that: (1) they are not presently eligible for assistance under the Section 8 program; (2) the Applicant could become eligible if the household income decreases, the number of household members changes, the Income Limit changes, or HUD grants an exception to the Income Limits, and (3) asks whether or not the Applicant wishes to remain on the waiting list. If an Applicant's Family composition changes resulting in a need for a different apartment size, management will, upon notification by Applicant, place the Family on the appropriate waiting list, maintaining their current waiting list status.

DETERMINING UNIT SIZE AT MOVE-IN: The management agent must balance the need to avoid overcrowding with the need to make the best use of available space and to avoid unnecessary subsidy. To determine how many bedrooms a Family may have, the management agent shall count:

1. all full-time members of the household;
2. children who are away at school but live with the Family during school recesses;
3. children who are subject to a joint custody agreement but live in the unit at least 50% of the time;
4. an unborn child or children who are in the process of being adopted or whose custody is being obtained;
5. foster children or children who are temporarily absent due to placement in a foster home;
6. live-in attendants; and
7. foster adults.

The management agent shall not provide bedroom space for persons who are not members of the household, such as adult children on active military duty, permanently institutionalized Family members or visitors. Generally, no more than two (2) persons may occupy a bedroom. Household composition will be considered when applying this general rule.

OVERCROWDED OR UNDER-UTILIZED UNITS: Units, which are smaller or larger than needed by the Applicant, may be assigned if doing so will not cause serious overcrowding, the action will not conflict with local codes and no units of appropriate size are available. In such cases, the Family must agree to move to the correct sized unit, at its own expense, when one becomes available. After move-in, if a unit becomes overcrowded or under-used because of changes in household composition, the management agent will require the Family to move to an appropriate sized unit when one becomes available or pay the HUD approved market rent if they remain in the same unit. In such instances, transfers will take priority over any preference or chronologically-placed Applicants on the waiting list. Neighbor to Neighbor will only allow a maximum of 2 (two) people per bedroom.

PREFERENCES: Management will observe preferences listed below, prioritized in the order of the list:

Accommodation for Existing Residents: Requests for accommodation from existing residents requiring unit transfers will take priority over all waiting list Applicants. Accommodation results when a third-party-verified disability requires a change or repairs which make it easier for the existing resident to reside in the community.

Units Specifically Designed for Disabled or Disabled Persons: Preference will be granted to Disabled Persons (who otherwise qualify) in units designed for Disabled Persons. In Elderly apartment communities, the management agent shall give first preference for a unit specifically designed for Disabled Persons to otherwise qualified Families who have a household member who is Disabled. In Family apartment communities, households with Disabled members (who otherwise qualify) receive preference for units designed for Disabled Persons over other households who have no Disabled members.



For units designed for accessibility to individuals with mobility, hearing or vision impairments, preference shall be given to Applicants requiring such units. This preference will be granted upon proper notification by Applicant and verification of need by management.

Extremely Low Income Households: Extremely Low Income Households, defined as households with income not exceeding 30% of the area median income (AMI) established by HUD and periodically updated, shall receive preference over households on the waiting list with incomes exceeding 30% AMI. Extremely Low Income Households will be selected from the waiting list in chronological order, and other eligible households will be housed after all Extremely Low Income Households on the waiting list have been housed. Neighbor to Neighbor will continue to market units with efforts to reach the Extremely Low Income population. If there are no Extremely Low Income Households on the waiting list, other households will be housed in the order in which they have applied. This preference will be determined utilizing income stated on the application, but will be revoked at the discretion of management if Applicant has misstated income as determined by verification. The preference will be in place during the first six months of each calendar year or until such time during the year that the number of new move-ins rented to Extremely Low Income Households is equal to 40% of the average turn-over in the previous three years.

Transfers for Existing Tenants: No waiting list preference shall be granted to households seeking transfers (for reasons other than accommodation) between units in a specific apartment community or between apartment communities located within the same market area which are owned or managed by Neighbor to Neighbor. Households seeking such transfers shall receive only chronological status on the waiting list.

PROCESSING STEPS: Neighbor to Neighbor Communities shall be rented and occupancy maintained on a first-come, first-served basis with preferences taken into consideration. All persons wishing to be admitted to our communities or placed on the waiting list must complete an application and supply all documentation required. Prospective tenants submitting incomplete applications will not be considered for occupancy. The initial application shall be timed and dated when received, and our leasing administrator shall maintain at the rental office a chronological list of all Applicants (categorized on a bedroom size requirement). Applicants may be included on one or more waiting list, depending upon the needs of the Family and management's determination of overcrowding or under-utilization. Preference households and existing residents requiring unit transfers because of accommodation will move ahead of chronological status Applicants.

Applicants shall be offered housing (after meeting all selection criteria requirements including the verification process), placed on the waiting list, or declined. Potentially eligible Applicants who have met tenant selection criteria and for whom the right size unit is not available will be placed on the waiting list and contacted when an appropriate unit becomes available. The Applicant must contact Neighbor to Neighbor's leasing administrator every 90 days to remain on the waiting list. Applicants who fail to provide acceptable landlord references, credit history or who have a criminal background will be notified that they have been removed from the waiting list.

When an appropriate unit is available, the waiting list shall be reviewed to identify the Applicant who meets preference criteria or whose name is chronologically at the top of the list. The leasing administrator shall interview the Applicant; confirm and update all information provided on the application; update credit reports older than one year; obtain current information of income, expense and Family composition as applicable and necessary to certify eligibility and compute the resident's share of the rent. Each Applicant will be required to evidence citizenship and comply with the Social Security Disclosure Regulations which means each Family member, age six years or older, must supply his/her Social Security number and verification of the same. The Applicant shall be informed that a final decision on eligibility cannot be made until all verifications are complete and current income has been verified.

Applicants, whose position on the waiting list enables application processing, will receive only two consecutive notices of housing availability. If the Applicant is unable or decides not to complete the application process, the Applicant shall be removed from the waiting list upon receiving the second notice and must reapply for eligibility.

The waiting list shall be updated every three months and may be closed for one or more unit sizes when the average wait for admission is more than a year. The public will be informed that the wait list is closed and/or reopened by means of related print media outlets and through physical notice being posted at affiliated sites.



SCREENING CRITERIA: The following factors shall be considered in screening Applicant for occupancy:

1. Demonstrated ability to meet financial obligations and to pay rent on time.
2. History as a good resident.
3. History of disturbing neighbors or destroying property.
4. Applicant's credit history.
5. Ability to maintain (or with assistance would have the ability to maintain) the housing in a decent and safe condition based on living or housekeeping habits and whether such habits adversely affect the health, safety or welfare of the household and other residents in the community.
6. Ability to meet all obligations of tenancy.
7. Current use or history of using illegal drugs or current use or history of abusing alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of others.
8. History of felony or misdemeanor convictions by any household member involving crimes of physical violence against persons or property, fraud, dishonesty and any other criminal activity including but not limited to Drug-Related Criminal Activity.
9. Any household member, including a Live-in Aide, has been evicted from assisted housing within three years as a result of Drug-Related Criminal Activity.
10. Any household member has Registered sex offender status.
11. Income Limit qualification.

Note: Live-In Aides will be screened for drug abuse and criminal activity and must sign required release forms.

REFERENCES; CRIMINAL AND CREDIT HISTORY: Neighbor to Neighbor will require consent of all adult household members and Live-In Aides for verification of references and permission to seek criminal background history.

Landlord References: Landlord references will be required for up to five (5) years, including the present landlord. Applicants, who have been previous homeowners, must be able to demonstrate that they have made mortgage payments in a timely manner. Applicants, who have had no previous rental or homeownership history, must provide references from present and former employers, teachers or clergy. Further, such Applicants must agree to monthly inspections of their apartment to continue until management deems that the Applicant is maintaining the apartment in a clean, safe and sanitary condition. Unfavorable landlord or professional references may result in removal from the waiting list.

Credit History: Credit reports will be ordered for each Applicant. The credit report will be reviewed to determine the Applicant's history of meeting financial obligations including payments for rent, utilities, loans, revolving credit cards, and other obligations. Applicant's credit history must be acceptable to management before they will be approved to occupy a unit. The credit report will be reviewed to:

1. confirm current address;
2. confirm credit sources included on the application;
3. confirm current and past employment listed on the application; and
4. to determine whether the Applicant has an acceptable credit history.

Applicants, whose credit histories are unacceptable, will be declined and removed from the waiting list. An unacceptable credit history is one that reflects consistent, past-due payments of more than 90 days; a history of repeated insufficient fund checks; derogatory credit (repossessions, foreclosures, judgments, collections, charge-offs, liens, bankruptcy not yet discharged, etc); delinquent or charge off debt due other apartment communities; or unpaid utility company collections which would prohibit applicant from obtaining services. The lack of credit history or past due payments or derogatory credit relating to medical expense or student loans will not be considered as grounds for declining an Applicant. Consideration will be granted when current credit history demonstrates a pattern of improvement; history of rent payment overshadows other debt issues or Applicant can demonstrate acceptable reasons for credit history. Applicants may wish to provide an explanation that evidences efforts to correct credit deficiencies through payment plans or other work out solutions. If such explanation is acceptable to management, further screening may be conducted and written confirmation of payment plans may be required from the creditor(s). In the event of decline based upon credit, the Applicant has 14 days to provide an explanation and request further consideration. Management will provide a copy of Applicant's credit report upon request. It is the Applicant's responsibility to contact the credit-reporting agency to resolve any items that have been incorrectly reported.



Criminal Activity Reports: A criminal activity report will be ordered for each Applicant, and an Applicant with a history that includes felonious crimes, serious misdemeanors, Drug-Related crimes violent crimes or sexual crimes will be declined and removed from the waiting list. Reports will be obtained from local and/or state records. Consideration may be granted to Applicants with past nonviolent criminal records occurring five or more years in the past with no further criminal record. A criminal report will be required for every state that an applicant has lived to determine if any applicant has a past violent felony conviction which will automatically result in the application being denied. Applicants will be required to certify that they or members of their household are not Registered Sex Offenders. Registered Sex Offenders will not be admitted to the apartment community.

DECLINING APPLICANTS: Applicants may be declined if any one of the following categories apply:

1. Failure to meet one or more of the screening criteria.
2. Information required by the application and income verification process is not provided.
3. Failure to respond to written requests for information.
4. Declaration by Applicant that they are no longer interested in housing.
5. Unacceptable credit history.
6. Income exceeds the appropriate Very Low Income Family Income Limit (when dictated by Federal programmatic requirements).
7. Inability to appropriately maintain housing in a decent safe and sanitary condition.
8. Applicant is single, under 18 years of age
9. Family size is too large for available units, and serious overcrowding would result in providing a smaller unit.
10. History of unjustified and chronic nonpayment of rent and financial obligations.
11. History of disturbing the quiet enjoyment of others.
12. A risk of intentional damage or destruction to the unit or surrounding premises by the Applicant or those under the Applicant's control.
13. History of violence and harassment of others.
14. History of violations of the terms of previous rental agreements such as destruction of a unit or failure to maintain a unit in a decent, safe, and sanitary condition.
15. Criminal history includes felony or misdemeanor convictions for Drug Related Activity, violent crimes, sexual crimes, physical violence against persons or property, fraud, dishonesty or any other criminal activity (excepting traffic violations) which, at the sole discretion of management, is deemed a risk to the well being of the community.
16. Illegally using a controlled substance or abusing alcohol in a way that may interfere with the health, safety and well being of other residents. Waiver of this requirement is subject to Applicant demonstrating they are no longer engaging in such activity and producing evidence of participation in or completion of a supervised rehabilitation program.
17. Applicant or a household member has engaged in or threatened abusive or violent behavior towards any staff member of management or another resident.
18. Applicant or a member of household was evicted from housing within three years as a result of Drug-Related Criminal Activity.
19. Applicant does not meet the criteria for a full or part time student household as defined by Section 8 of this criteria, if asking for assistance.
20. Application is incomplete, or is found to contain false information.
21. Appropriately sized housing is not and will not be available in the apartment community.

If an Applicant is declined, Applicant will be informed in writing with an explanation of the reasons for decline. The Applicant will be notified that they have 14 days to respond in writing or to request a meeting to discuss the decline. All declined applications and supportive documentation shall be maintained at the management agent's home office in a manner that assures confidentiality.



DEFINITIONS:

APPLICANT includes all adult members of the Family or household.

DISABLED PERSON is a person with a disability as defined by Section 223 of the Social Security Act or as generally defined in 42 USC Section 6001(8) as a severe, chronic disability which:

1. is attributable to a mental/or physical impairment or combination of mental and physical impairments;
2. was manifested before age 22;
3. is likely to continue indefinitely;
4. results in substantial limitations in three (3) or more of the following areas of major life activities: self care, receptive and responsive language, learning mobility, self direction, capacity for independent living, and economic Self Sufficiency; and
5. reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or the other services which are of lifelong, or extended duration and are individually planned and coordinated.
6. Is a person with a physical or mental impairment that:
 - a. is expected to be of long, continued and indefinite duration;
 - b. substantially impedes the person's ability to live independently; and
 - c. is such that the person's ability to live independently could be improved by more suitable housing conditions.
7. Is a person with a developmental disability.

DISPLACED PERSON is a person displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

DRUG RELATED CRIMINAL ACTIVITY Drug Related Activity means the illegal manufacture, sale, distribution or use of a drug or the possession with the intent to manufacture, sell or distribute a controlled substance. Drug-Related Criminal Activity does not include the use or possession, if the household member can demonstrate that they:

1. have an addiction to a controlled substance, has a record of such an impairment, or is regarded as having such an impairment; **and**
2. have recovered from such addictions and do not currently use or possess controlled substances. The household member must submit evidence of participation in, or successful completion of, a treatment program as a condition to being allowed to reside in the unit.

ELDERLY PERSON is a person who is at least 62 years old.

ELDERLY HOUSEHOLD is a household whose head or spouse is elderly or Disabled. The household may be two or more Elderly or Disabled Persons who are not related, or one or more such persons living with a Live-in Aide(s) essential to their care or well being. A household may NOT designate a Family member as head of household solely to qualify the Family as an Elderly Household.

FAMILY is one or more persons in a household whose income and resources are available to meet the Family's needs.

INCOME LIMITS are defined as those income limitations published by organizations regulating the development.

LOW INCOME HOUSEHOLD is a Family whose income does not exceed eighty percent (80%) of the area median income as determined by HUD.

LIVE-IN AIDE/ATTENDANT is a person who lives with an Elderly or Disabled individual(s), is essential to that individual's care and well being, is not obligated for the support of the person, and would not be living in the unit except to provide the support services. While a relative may be considered to be a Live-in Aide/Attendant, the relative can reside in the unit as a Livein

Aide/Attendant only if the tenant requires special care. The Live-in Aide qualifies for occupancy only as long as the tenant

STUDENT is defined on page 2 section 8 and should be referenced