

RESIDENT SELECTION CRITERIA

Tax Credit Family Properties

Statement of Purpose

This property was established to provide quality housing and excellent service to the residents who reside there.

Policy for Changes to the Resident Selection Criteria

Changes to the resident selection criteria may occur from time to time. The changes can occur at the discretion of management. Should changes occur, residents and applicants will be notified of such changes within 30 days.

Project Specific Requirements

The property identified above has agreed to a Regulatory Agreement. Applicants must earn less than that stated in the Regulatory Agreement upon move-in to reside at this property. The income limits for this county can be requested from management at any time. Income and rent limits are also available at www.huduser.org. The income limits are adjusted for family size.

Income limits are established by a HUD and are updated annually. To qualify, this property must be the only home for the applicant. Applicants must sign release of information documents prior to move-in and at least annually thereafter. Release of Information documents are in accordance with the Tax Credit Program and can be reviewed by the applicant in advance if requested. The consent forms must be signed by the head of household, the spouse or co-head of household, and any other family members who are 18 years of age or older.

Additionally, all adult members of an applicant or tenant family must sign individual verification forms authorizing the management to verify family income and other applicable eligibility factors. Management will comply with the provisions of the Federal Privacy Act as well as any state or local laws relating to confidentiality.

Family members who refuse to sign the Release of Information documents and/or refuse management the ability to verify program eligibility for the family will be denied housing.

Income Eligibility and Income Targeting

The property is assisted under a Project-Based Section 8 Housing Assistance Payments (HAP) Contract that was initially effective prior to October 1, 1981. In accordance with HUD Handbook 4350.3 REV-1, applicants may be admitted to the Section 8 program if the household's annual income does not exceed the applicable HUD-published **Low-Income Limit (80% of Area Median Income)** for the household size.

The property is also subject to HUD's income-targeting requirements. At least **40% of the Section 8 dwelling units that become available for occupancy during each project fiscal year will be leased to Extremely Low-Income families**, as defined by HUD.

The property is subject to a Project-Based Section 8 Housing Assistance Payments Contract initially effective prior to October 1, 1981. Under HUD requirements, applicants with incomes up to the applicable Low-Income Limit (80% of area median income) may be eligible for admission under the Section 8 program, subject to applicable income-targeting requirements.

The property is also subject to the Low-Income Housing Tax Credit (LIHTC) program. All LIHTC-assisted units at the property are restricted to households whose income does not exceed the applicable 60% LIHTC income limit at initial occupancy.

Applicants must meet the eligibility requirements of all housing programs applicable to the unit. Accordingly, although the Section 8 program permits admission of eligible households up to HUD's Low-Income Limit at this pre-1981 property, the property's LIHTC restrictions may impose a lower income limit for admission.

Management will monitor admissions throughout the project fiscal year to ensure compliance with the 40% Extremely Low-Income targeting requirement. When necessary to maintain compliance with income targeting, management may select an eligible Extremely Low-Income applicant ahead of an otherwise eligible higher-income applicant in accordance with HUD requirements and the procedures established in this Tenant Selection Plan.

Applicants with incomes above the Very Low-Income limit but at or below the applicable Low-Income limit may be admitted because the property's initial Section 8 HAP Contract became effective prior to October 1, 1981, subject to applicable HUD requirements.

Application Process



The screening criteria will be applied uniformly and in a manner consistent with all applicable laws, including the State and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines, and the state allocating agency guidelines.

- A.** Applications will be accepted during posted office hours but can also be mailed to the office or put in the property's drop box. Applications may also be accepted online and via email.
- B.** Persons requiring special accommodations should contact the management office.
- C.** Applications will be screened in accordance with the program eligibility requirements and the criteria set forth in the resident selection plan.
- D.** Management will not pre-screen applicants verbally or in person prior to the completion of an application form.
- E.** Upon completion of the application, management may meet with the applicant to review the application for accuracy and completeness.
- F.** Applicants will be required to provide proof of identity.
- G.** The resident selection criteria will be available in the management office to all residents and applicants.
- H.** An initial screening of eligibility will be conducted.
 - 1. If the property has a waitlist, applicants will be screened once a unit becomes available for occupancy.
 - 2. If no waiting list exists and the initial screen determines the applicant will likely be qualified, management will begin processing the application for occupancy.

Applicant Selection

All applicants who meet the program eligibility requirements and resident selection criteria requirements will be offered housing on a first come first serve basis. All rental applications will be date and time stamped. Upon notification of an available unit; applicant will be called in to fill out a screening application at which time the application fee will be required to process. All applicants must demonstrate the ability to pay the rent, not damage the housing, and not interfere with the rights and quiet enjoyment of other tenants.



Should the applicant fail to meet the income restrictions or other screening criteria management will provide a denial letter.

Student Status (LIHTC)

According to the LIHTC program certain restrictions apply, including disallowing a unit comprised of all full-time students, unless the student meets one of the below exemptions:

- All household members are full-time students, and such students are eligible to file a joint tax return;
- The household consists of all single parents and their children, and such parents and children are not dependents of another individual other than a parent of such children;
- At least one member of the household receives assistance under Title IV of the Social Security Act (i.e., AFDC or TANF assistance); or
- At least one member of the household is enrolled in a job training program receiving assistance under the Job Training Partnership Act (known as the Workforce Investment Act), or similar federal, state, or local law. See Income Exclusion 16f.
- At least one member of the household was previously under the care and placement of a foster care program under Title IV of the Social Security Act.

Changes to Family Composition after Move-In

The family may request a change in unit size due to the addition or subtraction of a family member. Families must inform management when such a change occurs. Apartments will be utilized in the highest and best use to avoid overcrowding. Adult additions to the family must be approved for occupancy utilizing the property's resident selection criteria prior to occupying the unit. Adult members' income must be considered in calculations toward rent. New adult household members must be added to the lease.

Criminal Activity

In compliance with HUD Handbook 4350.3, section 4-7C., RWI Property Management will not allow occupancy to households where a family member has been convicted of criminal activity. Criminal activity background checks will go back no more than five years. The screening vendor will provide the reports to the property. Households where a member of the household has been evicted from federally assisted housing for drug related criminal convictions will not be allowed occupancy for a period of at least three years unless the circumstances leading to the eviction no longer exist or the household member has successfully completed an approved drug rehabilitation program. Criminal convictions include but is not limited to the following:

- A household member who is subject to a lifetime registration requirement under any state sex offender registration program.
- Any household member who has a criminal record that includes a sex crime. Sexual offenders will never be allowed occupancy regardless of the date of offense.
- A household member who has been convicted of criminal activity that could threaten the safety and right to peaceful enjoyment of the residents or staff at the property.
- A household member who there is reasonable cause to believe has a pattern of use of illegal drugs or alcohol abuse or is currently using illegal drugs and is believed it will interfere with the health, safety, or right to peaceful enjoyment of the premises by the other tenants.
- Violent criminal activity by a household member; including but not limited to anyone who has a felony conviction for assault, battery, or neglect.
- Other criminal conviction that could threaten the health or safety of the owner or any employee, contractor, subcontractor, or agent of the owner who is involved in the housing operations. This includes but is not limited to any conviction of terroristic threats or comparable conviction, weapons convictions, or assault convictions.
- Drug related criminal convictions, including any convictions of illegal manufacturing or distribution of drugs or drug paraphernalia.
- Any conviction for activity threatening the safety of a person, property, or community.

Consideration of Circumstances

In certain cases, management may consider relevant circumstances related to a particular family's case. Relevant circumstances might include the following:

- The seriousness of the offense.
- The effect denying tenancy could have on the community.
- The degree of participation in the offending activity by the household member.

- The effect denying tenancy could have on the non-offending household members.
- The extent to which the household has taken responsibility and taken reasonable steps to prevent or mitigate the offending action.
- The effect of the offending action on the program's integrity.

Occupancy Standards

Occupancy is limited to two people per bedroom plus one additional person per unit unless state or local law mandates a more restrictive occupancy requirement. Children that join the household after the start of a lease term will not cause a household to be in violation of the lease.

Ability to Contract

Applicants for housing must include at least one member who is legally able to contract in the applicable state.

Waiting List Procedure

- A.** The property will be rented and occupancy maintained on a first-come, first-served basis.
- B.** All persons wishing to be admitted to the property or placed on the waiting list must complete an application. Prospective tenants submitting incomplete applications will not be considered for occupancy.
- C.** Applicants are chosen from the waiting list based upon the date and time of initial screening application and unit size requirements. The property shall maintain at the rental office a chronological list of all applicants (categorized on a bedroom size requirement).
- D.** Households will move ahead of chronological status waitlist applicants when they designate a need for an accessible unit and an accessible unit with the necessary design modifications is vacant. Current residents (internal waitlist applicants) will be given preference for available units with accessibility features. Second, the offer will be extended to qualified eligible external applicants on the waitlist requiring the accessibility features. Current residents with verified VAWA circumstances will be given priority for internal transfers. Please see the properties VAWA emergency transfer plan for more detailed information on what qualifies as a VAWA transfer.

- E.** When selecting applicants for units designated with a lower set-aside (30% and 50% AMI), if the person on the top of the waitlist does not income qualify for the lower set-aside, the applicant will be skipped over. This selection process will continue until an income qualified applicant has been chosen from the waitlist and moved into the property.
- F.** If an applicant refuses an apartment, their name will be removed from the waiting list unless the applicant requests to be placed at the bottom of the list.
- G.** When an applicant's name rises to the top of the waiting list, the applicant will be notified by mail, telephone, and/or email.
1. The applicant will have three (3) days to respond.
 2. If the applicant does not respond or refuses the apartment, the applicant will be removed from the list and management will proceed to contact the next person on the waiting list.
- H.** Applicants must contact the property office every 6 months to remain on the waitlist.
- I.** It is always the applicant's responsibility to report changes in income, family composition or other changes that would affect the applicant's position on the waiting list or their continued eligibility.
- J.** Applicants should inform management about any special features the applicant desires so the applicant can be placed on the appropriate waiting list.
- K.** Applicants must request to be placed on a waitlist for more than one unit size at the time of initial screening application. If there is a household composition change, the household will be allowed to move to the necessary waitlist (per bedroom size) with the original date and time of application.
- L.** When an applicant is removed from the waitlist for any reason, they will be notified by regular mail within seven (7) days to the most current address on file.
- M.** If an applicant is removed in error and can document the error, they will be reinstated to the waitlist – using the original date/time of application.
- N.** The waiting list may occasionally be closed for various reasons as approved by RWI Property Management. Closing the waiting list means we will temporarily not accept any more applications for housing. The waiting list will be re-opened as approved by RWI



Property Management. When either of these events occurs, we will advertise this fact by posting flyers around the community.

Citizenship

RWI Property Management will comply with HUD Regulation Title 24, Part 5, Subpart E regarding restrictions on rental assistance to non-citizens. Applicants will be required to provide a valid, verifiable Social Security Number (SSN) or Individual Tax Identification Number (ITIN) for each adult household member. This number is required in order to process the application through our credit screening software. If applicants cannot provide either of these required numbers the rental application cannot be processed, and the application will be considered to have insufficient information for approval.

For international students who do not possess one of the numbers listed above, a copy of the student's visa, a valid photo ID (either passport or State issued ID card), and verification from the educational institution for which they are attending; will be required in order for the application to be processed.

CREDIT POLICY

A. Landlord Reference

- Applicants must have two years of rental history documented from the landlord.
- The information must show the ability to pay rent timely, no current violations, and appropriate notice given, and current lease terms have been fulfilled.
- A negative reference or a debt to RWI Property Management at any time must be cleared or paid before a new application can be accepted.
- If a landlord cannot be contacted for any reason, it is the applicant's responsibility to obtain the reference.
- All previous addresses within the last 2 years on a person's credit report must be explained and checked out.
- Information provided from the current landlord regarding a known and current Bed Bug infestation will provide reason for denial until documentation can be obtained indicating no presence of Bed Bugs.
- Applicants may be denied if landlord reference demonstrates failure to pay rent timely and/or evictions filed within the last 2 years, damages and/or unpaid rent in amounts exceeding \$1,000, repeated disturbances not related to circumstances protected under VAWA, prior management references describing reports of drug dealing or manufacturing, gambling, or prostitution on the property premises.

B. Credit Report



- Applicants must have one year of credit history and no current collection accounts from rental companies and more than half of the tradelines must reflect positive pay history.
- Debt to utility companies must be paid prior to approval if the property requires residents to put utilities in their own name.
- Other debt under \$100 will be disregarded.
- We will disregard medical bills and student loans.
- Bankruptcy filings in discharged status will still be considered. However, any bankruptcy case in dismissed or filed status will be grounds for denial.
- Lack of a credit history is not a negative.

C. Income

Applicants must show the ability to pay rent and all fees associated with the costs of residing in the unit and any optional amenities. This will be evaluated based upon access to funds equivalent to 2.5 times the monthly rent, or supplemented assistance for utilities and/or rent that demonstrates the ability to cover the monthly expense of residing in the unit.

D. Guarantor

A non-resident guarantor may be considered as a backup to an applicant who has no landlord, credit, or job history. A guarantor will not be used if the applicant does not meet our policy due to negative information. The guarantor must meet the same credit standards and landlord requirements as the applicant. The guarantor must be a legal resident of the United States and provide an SSN. The rent should equal no more than 35% of the guarantor's income.

E. Procedures for Approval

The procedure for approval of an applicant for housing at a RWI Property Management Company property will be as follows:

1. Applicants will be screened first for credit and criminal approval, occupancy standards and ability to contract in accordance with RWI Property Management policy. Applicants must pass this step first.
2. Applicants will be screened for Landlord History in accordance with RWI Property Management policy.

- a. RWI Property Management will not obtain Landlord History on applicants who are denied based upon information obtained in steps 1 or 2. Applicants can follow the appeal procedure outlined in section XVII.
- b. Upon satisfactory completion of steps 1 and 2 outlined above, applicants for affordable housing properties will be screened based upon the program requirements discussed in this resident selection plan. Upon meeting the affordable housing program requirements, applicants will be approved for move-in.

F. Procedures for Denial

The following procedures will be completed when an applicant is denied housing at a RWI Property Management property:

1. One copy of the denial/adverse action letter will be mailed to the applicants address on file within seven (7) days after the determination is made to deny an applicant. The other copy is kept with the original application file.
2. If the applicant wants to know more information on the reason for rejection, they must contact the credit agency provided in the denial/adverse action letter.
3. According to existing law, no information may be given over the phone.
4. After the denial letter is sent, the on-site manager will remove the applicant from the waiting list.

Appeal Procedure

Applicants who are denied housing based upon negative information received from a previous landlord, credit history and/or criminal history will be notified within 7 days of submitting an application. They may appeal this decision through an informal hearing.

- A. Applicants who wish to appeal must request an appeal in writing within 14 days of denial.
- B. Upon receiving the written appeal, management will review and respond in writing within 5 business days.
- D. A member of the management staff who did not make the original decision to reject the applicant will conduct the appeal review.

- E.** Management may consider extenuating circumstances that would allow acceptance of an applicant, management would normally reject. Persons with a disability may request reasonable accommodation; management will consider extenuating circumstances for those found to have a disability and where the request for accommodation is deemed reasonable in evaluating eligibility.
- F.** The applicant must provide documentation/data to support the reason for appeal.
- F.** Appeals should be directed to:

RWI Property Management
Attn: Appeals Dept.
11264 Elm St.
Omaha, NE 68144

Non-Discrimination

RWI Property Management does not discriminate on the basis of race, color, religion, creed, national origin, familial status, disability, sex, marital status, or age (provided the applicant has the capacity to enter into a binding contract), gender identity or sexual orientation. RWI Property Management additionally will not discriminate against applicants whose income derives from any public assistance program or because the applicant has in good faith exercised his or her rights.

Unit Transfer Policy

- A.** Unit transfers will be completed in cases where a family requires a larger or smaller unit due to changes in their family composition, when there is a lower set-aside unit, due to a request for a reasonable accommodation or modification and under terms of a VAWA covered event. Unit transfer requests will be reviewed within 7 days of receipt.
- B.** Unit transfers to the same size units within the same property are considered elective and must meet the below:
- Before the transfer is approved, the resident must demonstrate prompt payment of rent and other charges, must not owe a balance, and must have no lease violations for the prior six months.
 - Current residents must fulfill the initial 1-year lease term before they are eligible to be placed on the unit transfer waitlist (excluded for medical, accessibility, accommodation, modification, or VAWA request).
- C.** Unit transfers will be handled by the Owner's election of line 8b on the form 8609:



When the building is being treated as part of a multiple building project:

- A tenant may transfer to a unit in a different building in the project without having to requalify for the new unit.

When the building is being treated as a single building project:

- A tenant must reapply and complete all necessary income and asset verifications documenting qualification of the new unit if they wish to transfer to a unit in a different building in the project.
- A tenant may transfer to a unit in the same building as their current unit without having to requalify for the new unit.

Non-Renewal-Terminations

In accordance with the lease, landlord may give a notice of non-renewal no less than 30 days prior to lease expiration, unless the tenant has violated the terms of the lease. In such cases, the landlord will provide a notice to quit for late rent and lease violations in accordance with state and local law.

Application Fee

All adult members of the household will be required to pay a non-refundable rental application fee per adult person.

Security Deposits

All applicants must pay a security deposit the day of move in. Security deposits must be paid in full at the time the lease is signed. If a unit transfer is approved by management an additional deposit may be required.

Violence Against Women Act (VAWA) Protections

RWI Property Management Company supports victims of domestic violence, dating violence; victims of sexual assault or stalking and protects victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing as a consequence of domestic violence, dating violence, sexual assault, or stalking.

- RWI Property Management Provides all tenants notice of their rights and obligations under VAWA.

- RWI Property Management will provide HUD form 5380 and 5382 to all resident families at next annual certification or lease renewal. As well as all applicants when denied or admitted, and with any notice of eviction or termination.
- RWI Property Management provides tenants the option to complete the Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking, form HUD 5382. The certification form is available to all families upon their acceptance as a tenant. The HUD approved Certification form provides notice to the tenant of the confidentiality of the form and limits thereof.
- In the event of actual or threatened domestic violence, dating violence, sexual assault or stalking OR start of eviction the HUD 5382 may be enclosed with an appropriate notice directing the family to complete, sign and return the form within fourteen (14) business days. The owner may extend this period at his/her discretion.
- In lieu of or in addition to the certification form, the owner may accept the following:
 - o A federal, state, tribal, territorial, or local police record or court record, or,
 - o Documentation signed and attested to by a professional (employee, agent, or volunteer of a victim service provider, an attorney, medical personnel, etc.) from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault or stalking or the effects of the abuse. The signatory attests under penalty of perjury (28 U.S.C. 1746) to his/her belief that the incident in question represents bona fide abuse, and the victim of domestic violence, dating violence, sexual assault or stalking has signed or attended to the documentation.
- RWI Property Management is not required to demand an individual produce official documentation or physical proof of an individual's status as a victim of domestic violence, dating violence, sexual assault or stalking in order to receive the protections of the VAWA. RWI Property Management, at their discretion, may provide assistance to an individual based solely upon the individual's statement or other corroborating evidence.
- RWI Property Management will be mindful that the delivery of the certification form to the tenant via mail may place the victim at risk, e.g., the abuser may monitor the mail. Therefore, in order to mitigate risks, RWI Property Management will work with the tenant in making acceptable delivery arrangement, such as inviting them into the office or pick up the certification form or making other discreet arrangements.
- The identity of the victim and all information provided to RWI Property Management relating to the incident(s) of domestic violence will be retained in confidence in a separate file by RWI Property Management and must neither be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is:
 - o Requested or consented to by the individual in writing.
 - o Required for use in an eviction proceeding.
 - o Otherwise required by applicable law

Reasonable Accommodation/Modification Requests

The Development will comply with state and federal fair housing and antidiscrimination laws; including, but not limited to, consideration of reasonable accommodation requested to complete the application process. Applicants wishing to request a reasonable accommodation may contact the Property Manager by phone at (402) 333-0287 or regular mail at: RWI Property Management, 11264 Elm St, Omaha, NE 68144; upon receipt requests will be responded to in writing within 7 business days. Specific animal, breed, number, weight restrictions, pet rules, and pet deposits will not apply to households requesting/having a qualified service/assistance animal.

El Desarrollo cumplirá con las leyes estatales y federales de vivienda justa y antidiscriminación; incluyendo, pero no limitado a, la consideración de adaptaciones razonables solicitadas para completar el proceso de solicitud. Los solicitantes que deseen solicitar una adaptación razonable pueden comunicarse con la, gerente de la propiedad por teléfono al (402) 333-0287 o por correo ordinario a: RWI Property Management, 11264 Elm St, Omaha NE 68144; al recibir las solicitudes serán respondidas por escrito dentro de 7 días hábiles. Depósitos animales específico, raza, número, restricciones de peso, reglas de mascotas y animales domésticos no se aplicará a los hogares que soliciten / tener un servicio / asistencia de animales

RWI Property Management does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its housing programs or activities. The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulations implementing Section 504 (24 CFR, part 8 dated June 2, 1988).

Carolyn Kier, 11264 Elm St, Omaha NE 68144 Ph. (402)-333-0287

