

## TENANT SELECTION PLAN NLR RAD Family Homes

**GENERAL ELIGIBILITY CRITERIA:** All applicants must meet the requirements within the Tenant Selection Plan. The Tenant Selection Plan is used to demonstrate the applicant's suitability as a resident, using verified information on current and past conduct to document an applicant's ability (either alone or with assistance), to comply with the rules governing tenancy. Revisions of this Tenant Selection Plan may be implemented from time to time. A copy of the current Tenant Selection Plan can be obtained from the leasing office and a copy will be given to each applicant before their application is processed.

### GENERAL RENTAL STANDARDS:

- **EQUAL HOUSING:** M&T Property Management will offer to rent to qualified persons regardless of age (except when age is related to eligibility), race, color, sex, sexual orientation, gender identity, religion, national origin, creed, handicap, mental or physical disability, marital status, or familial status in compliance with all federal, state, and local laws.
- **CREDIT:** All applicants are subject to approval through a third-party applicant screening agency. Approvals are based on an empirical system that incorporates various credit factors along with other non-statistical scoring factors to determine overall applicant worthiness. The primary criterion used to determine rental decisions is a statistically based Leasing Desk Score, which is a cumulative analysis from several statistical indicators that calculates an applicant's overall credit score and then rates the applicant from 0 to 1000. **Leasing Desk Score Results: 0-249 Fail; 250-1000 return Conditional; and 250-1000 Pass.** In addition to the Leasing Desk score, the following categories (a-d) will automatically Fail/Deny an applicant: **(a) Three or more Eviction Filings** less than or equal to twelve (12) months. Furthermore, the following auto score categories (b-) will return for Conditional review by a Regional Manager or Director of Compliance: **(b) Landlord debt/Rental history balances (c) Unpaid gas, electric, water and sewer utility accounts (d) Fraud Alerts.** Conditional approval may be considered if applicant provides verifiable evidence that their Landlord debt/Rental balance and/or Utility balance(s) have been paid in full. Should an applicant be approved with conditions, conditions must be met.
- **CRIMINAL BACKGROUND CHECK:**
  1. The housing provider must deny admission to applicants with household members who have the following criminal convictions:
    - Sex offenses subject to lifetime registration requirement; and
    - Manufacture or production of methamphetamine on the premises of federally assisted housing.
  2. The housing provider may not consider the following in its determination of whether to accept or deny an applicant household:
    - Arrests;
    - Criminal charges that were resolved without conviction;
    - Juvenile records, or any expunged, vacated, or sealed records;
    - Nonviolent misdemeanor convictions;
    - Violent misdemeanor convictions and nonviolent felony convictions that are over three (3) years old at the date of screening; and
    - Violent felony convictions that are over five (5) years old at the date of screening.
  3. Charges that are pending for eligible crimes at the time of screening may be considered, subject to the "individualized" assessment described in #5 below.
  4. If a member of an applicant household has been convicted of a felony offense or violent misdemeanor offense during the applicable "further review period" (dated from the day of conviction), the housing provider may choose to consider that record in determining whether to accept or deny an applicant household based on the criteria in #5 below.
  5. The housing provider will conduct an individualized assessment of the criminal record and its impact on the household's suitability for admission. This individualized assessment should include consideration of the following factors:
    - The seriousness of the case, especially with respect to how it would affect other residents;
    - The effects that denial of admission may have on other members of the family who were not involved in the action or failure;
    - The age of the household member at the time of the offense;
    - The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities, or a victim of domestic violence, dating violence, sexual assault, or stalking;
    - The length of time since the violation occurred, with particular weight being given to significant periods of good behavior, as well as the family's recent history, and the likelihood of favorable conduct in the future;



# M&T

## Property Management

- Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs;
- Evidence of rehabilitation, such as employment, participation in a job training program, education, participation in a drug or alcohol treatment program, or recommendations from a parole or probation officer, employer, teacher, social worker, or community leader; and
- Tenancy supports or other risk mitigation services the applicant will be receiving during tenancy.

6. If the applicant's criminal conviction was related to his or her disability, the management company will consider a reasonable accommodation.

7. The owner shall ensure that this policy is uniformly applied to all applicants in a non-discriminatory manner and in accordance with applicable fair housing and civil rights law

- **PRIOR LANDLORD REFERENCE:** Applicants who meet the income, credit & background qualifications can also be denied based on a poor landlord reference under the following (a-e) categories: **(a)** Three (3) or more late payments during past twelve (12) months; **(b)** Being evicted in the past twenty-four (24) months for non-payment of rent or violation of rental policy; **(c)** Three (3) or more Eviction Filings less than or equal to twelve (12) months **(d)** Statement from a prior landlord that they would not re-rent due to lease violation(s), number of late rental payments, or non-payment; **(e)** Unpaid Landlord debt/ Rental history balance(s). These categories can be deemed conditional.
- **MINIMUM INCOME REQUIREMENTS: (1) Applicants 18 and older** must provide proof of anticipated income. Households must have gross income of at least 2.5 times the resident paid rental rate. However, if a family's share of the rent is \$50 or less, a minimum annual income of the greater of a monthly income of 2.5 times the household's share of the total monthly rent amount or \$2,500.00 annually will be required. This property does accept Housing Choice Vouchers.
- **IDENTIFICATION:** All Applicants eighteen (18) or older must present picture identification (ID) issued by a local, state, or federal government agency, (i.e., driver's license, valid passport, travel visa, etc.) Applicants must also provide a US issued Social Security card for credit screening purposes. If a Social Security card has not been obtained, an Individual Taxpayer Identification Number (ITIN) may be considered. All provided forms of identification must be valid through the term of the lease.
- **CITIZENSHIP:** (Only applicable to HUD units): In accordance with HUD regulations, all applicants must be a U.S. Citizen or have eligible immigration status. Documentation will be required to verify U.S. Citizenship and/or eligible immigration status including but not limited to a current Resident Alien Card and/or Visa. In addition, applicant must provide a birth certificate and social security card, unless unavailable for foreign-born residents, in which case immigration documents may be substituted. Applicants should provide this documentation with their application.
- **MANAGEMENT OCCUPANCY STANDARDS:** The Maximum Occupancy Allowed is 2 persons per bedroom
- **RELEASE & CONSENT:** Applicants eighteen (18) or older must sign a consent form giving Management permission to communicate with employers(s), financial institutions, government agencies, or other sources as applicable for the purpose of determining eligibility.
- **APPLICATION PROCESS:** Applicants eighteen (18) or older must complete an application form and report all household income & assets. Completed applications will be reviewed for eligibility under the applicable housing program(s) in effect for the property for which application for residency applies. All Applicants must confirm that there has been no change to household status (i.e., income, assets, occupancy, etc.) declared on the application as of the date of the effective date of the lease. An applicant's credit, criminal background, income, and rental history are part of the household's overall score of which determines a pass, fail or conditional decision.
- **ACCURACY OF INFORMATION:** Information the Applicant supplies must be true and complete and made in good faith. Any willful false statements or failure to provide satisfactory, complete and accurate information (regardless of whether inaccuracy is intentional or unintentional) will be denied on the basis of falsification. In addition, refusal to comply with a request for information shall constitute cause for immediate rejection of the application or lease termination by Management.
- **HANDICAP ACCESSIBLE UNITS:** Management actively markets accessible units to persons with disabilities, and priority for leasing accessible units is given to those needing these special design features. Should Management not receive an application to lease an accessible unit from an eligible Applicant, the unit may be leased to a non-eligible Applicant. If Management receives a request to lease the accessible unit from an eligible priority Applicant, Management will give the non-handicap household occupying the accessible unit a 30-day notice to transfer to another suitably sized unit within the community, should an appropriate unit become available.
- **DRUG- FREE HOUSING:** All applicants eighteen (18) or older must have the ability and willingness to consent to comply with the drug free housing policy. Resident is responsible for actions of all household members and their guests. Activity that includes, but is not limited to, the possession, sale, and use of illegal substances or weapons is an automatic violation of the lease and grounds for immediate termination by Management.

- **LEASE EXECUTION:** All occupants eighteen (18) or older must sign the lease agreement, except dependent occupants (e.g., claimed on parent's tax return) 18 or older who are full-time students and are not financially responsible for the lease.
- **REJECTED APPLICATIONS:** If an applicant fails to meet the eligibility requirements as described in the Resident Selection Criteria, a letter disclosing the reason for denial will be mailed. Applicants have the right to submit a written appeal to management for potential reconsideration within 14 days of denial. Applicants must provide proof of reformation. Falsification of any part of the application and /or providing false documents or statements, will not be reconsidered.
- **REASONABLE ACCOMMODATION:** It is the intention of M&T Property Management to make reasonable accommodations both in the application process and during residency in accordance with the HUD Handbook 4350.3, Fair Housing Act, and other relevant civil rights laws and statutes.
- **VAWA:** All applicants will receive a copy of the Notice of Occupancy Rights (form HUD-5380) and the Certification Form (form HUD-5382). The notice explains the protections for persons that have been subject to domestic violence, dating violence, sexual assault, or stalking. The Model Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (HUD-5381). The Emergency Transfer Request for certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (HUD-5383).
- **LIVE-IN AIDE:** The definition of a live-in aide is a person who resides with one or more persons with disabilities who is (1) determined to be essential to the care and well-being of the persons; (2) is not obligated for the support of persons; and (3) would not be living in the unit except to provide the necessary supportive services. The Live-In Aide must provide proof of current, separate residency from the applicant. In accordance with this definition, a live-in aide cannot be a spouse and are not entitled to occupancy as a remaining member of the tenant family. Verification of need must be obtained through a certified health care professional. Live-in aides will be subject to criminal background checks at the household's initial and annual recertification.
- **COMMUNITY RULES AND REGULATIONS:** NLR RAD Family Homes residents will be required to abide by the Community Rules and Regulations including controlled access, guest policy and use of common spaces. NLR RAD Family Homes is a Non-Smoking community. NLR RAD Family Homes has the following additional written policies available in the Leasing Office, a copy of which will be provided to any applicant or their representative upon request: *Criminal History, Waitlist Policy, Non-Renewal and/or Termination Policy, Denied Application Policy and Reasonable Accommodations Policy.*
- **CONSIDERATION OF EXTENUATING/MITIGATING CIRCUMSTANCES:** Management may consider extenuating/mitigating circumstances in evaluating information obtained during the screening process to assist in determining the eligibility of an applicant. Management will require evidence of the applicant's ability to meet the obligations of tenancy.
- **GRIEVANCE**  
Per CFR 966.51 (a) (2) "Except in cases involving evictions where state law provides due process in accordance with 24 CFR 966.54 any tenant with an individual dispute relative to a Housing Authority act or failure to act in accordance with the dwelling lease or adopted regulations, shall be given an informal hearing 24 CFR 966.54 and, if requested, a formal before a selective hearing (24 CFR 966.55) officer or hearing panel. The following exceptions are:
  1. Any criminal activity that threatens the health, safety, or rights to peaceful enjoyment of the premises or other tenants or employees of the Authority, or
  2. Any violent or drug related criminal activity on or near such premises.

#### IRC SECTION 42/TAX CREDIT RENTAL STANDARDS:

##### Section 42 tax credit guidelines for designated units:

- **INCOME VERIFICATION:** Management must be able to confirm employment and reported salary listed on the application(s). All income & asset sources must be verified in accordance with the HUD Handbook 4350.3, IRC Section 42, HOME, and other programs applicable to the property for which application is being made. Third-party Verification of Employment is required for employed applicants. If third-party verification is unavailable, then (4) consecutive pay stubs are required. Dated proof of retirement benefits, social security or disability income is required. Non-W-2 employees must provide documentation that they have been in business for a minimum of six full months and the self-employed income has been reported and claimed on the tax return by providing a copy of the prior year's tax transcript obtained by the IRS. If a tax return is due and has not been filed, the applicant will automatically be denied. If newly self-employed, a minimum of six full months of active engagement is required and a Profit and Loss Statement prepared by a CPA or other documented accounting professional must be submitted for consideration as proof of income. If documents cannot be provided to support your stated income from self-employment, then your application may be denied.

- **INCOME LIMITS AND RENT:** Applicants applying for units designated under the Section 42 program cannot make over the applicable HUD maximum allowable income limits determined by household size.

Number of Household	1	2	3	4	5	6
Max 60% AMI	\$38,940	\$44,520	\$50,100	\$55,620	\$60,120	\$64,560

GROSS RENT	Eff.	1 BD	2 BD	3 BD	4 BD	5 BD
LIHTC 60%	\$929	\$1157	\$1379	\$1585	\$1773	\$1967

- **LIHTC STUDENTS:** An applicant's household cannot be entirely occupied by fulltime students. Applicants cannot be, or expect to be, fulltime students for any five (5) month period of time within a twelve (12) month calendar year. If all household members are full-time students, the household must meet at least one of the applicable exceptions. In HOME programs a part-time student may not qualify. A student affidavit must be completed.
- **HOME STUDENT:** A student is defined as an individual enrolled, part-time or full-time, at an institution of higher education as defined under the Higher Education Act of 1965 (20 U.S.C. 1001 and 1002) to obtain a degree, certificate, or other recognized educational credential.

Owners of developments with HOME funds are required to screen and document student status for each individual(s) the age of 18 and under the age of 24. If an individual(s) is enrolled an institution of higher education, each individual must meet student eligibility requirements in accordance with 24 CFR 5.612 and the HOME Final Rule. *You will be required to provide supporting documentation.*

**Part 1:** To evidence independence from your parent(s)/legal guardian, each of the following three (3) criteria must be met AND you must submit a signed certification documenting if (and how much) financial assistance your parent(s)/legal guardian give you.

1. Are you of legal contract age under Arkansas State law? **AND**
2. Have you established a separate household from your parent(s)/legal guardian for no less than one (1) year from today? **AND**
3. Did your parent(s)/legal guardian claim you on their last tax return as a dependent?

**Part 2:** To evidence independence from your parent(s)/legal guardian, one (1) of the below exceptions under the U.S. department of Education's definition of an independent student must be met:

- Will you be at least 24 years old by December 31st of the current year?
- Are you legally married?
- Are you working on a master's or doctorate degree program (such as M.A., M.B.A, Ph.D., graduate certificate, etc.)?
- Are you currently serving on active duty in the U.S. armed forces for purposes other than training?
- Are you a veteran of the U.S. armed forces? Do you have a legal dependent(s) (i.e. child or parent)?
- Do you have legal dependents(s) (i.e. child or parent)?
- At any time since you turned 13 years old, were you: An orphan? In Foster Care? A dependent/ward of the court?
- Prior to turning 18, were you an emancipated minor?

Prior to turning 18, were you in legal guardianship?

- Are you homeless, or self-supporting and at risk of being homeless? Please identify who could verify that you qualify as

**Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly making false statements or misrepresentation to any department or agency of the United States.**

such: Your high school or district homeless liaison, director of an emergency shelter or transitional housing program funded by the U.S. Department of Housing and Urban Development (HUD), director of a runaway or homeless youth basic center or transitional living program.

If you are a student and did not meet an exception in Part B or C of this form, under this program, you are considered a dependent of your parent(s)/legal guardian. In order for you to live at this property, your income plus your parent(s)/legal guardian's income must be verified. The property must perform a certification that uses source documentation to verify the income and assets of you and your parent(s)/legal guardian. Note, you must also be independently income eligible under the income limit in effect for where the property is located.

- **HOUSING CHOICE VOUCHER (HCV)/PROJECT BASED VOUCHER (PBV)**: M&T Property Management participates in the Housing Choice Voucher program. With the exception of gross income, Housing Choice Applicants must adhere to all selection criteria (employment, credit, criminal, landlord, and housing inspection) for consideration.
- **APPLICATION FEE**: The applicant must provide a \$15, nonrefundable application fee at the time of Application.
- **SECURITY DEPOSIT**: There is a refundable security deposit that range from \$100-\$500 based on bedroom size, payable at move-in. Security deposits are returned by mail within 30 days of the resident vacating, given there are no outstanding balances due on the residents account at the time of move out.
- **PETS**: NLR RAD Family Homes is a No Pet Community with the exception of a Qualified Service/Assistance animal. Specific animal, breed, number, weight restrictions, pet rules and pet deposits will not apply to an applicant/resident who qualifies for a service/assistance animal(s).
- **DEVELOPMENT STATEMENT**: The Development will comply with state and federal fair housing and antidiscrimination laws; including, but not limited to, consideration of reasonable accommodations requested to complete the application process. Chapter 1, Subchapter B of this title program provides more detail about reasonable accommodations. **(ii)** Screening criteria will be applied in a manner consistent with all applicable laws, including the Texas and Federal Fair Housing Acts, The Federal Fair Credit Reporting Act, program guidelines, and the Department's rules. **(iii)** Specific animal, breed, number, weight restrictions, pet rules, and pet deposits will not apply to households having a qualified service/assistance animal(s).
- **HOTMA IMPLEMENTATIONS**:
  - (1) **Assets**
    - (a) **Limitation on Assets (24 CFR 5.618(a))**: The new rule restricts families from receiving public housing or Section 8 benefits if their net family assets exceed \$100,000 (as adjusted annually) or if the family owns real property deemed suitable for the family to live in.
    - (b) **Exclusion from Assets (24 CFR 5.603(b)(3))**: There are new exclusions from assets, including related to necessary items of personal property, non-necessary items of personal property when the total value does not exceed \$50,000 (as adjusted), and real property that the family does not have the legal authority to sell.

