

SCREENING CRITERIA CONTINUED

CRIMINAL RECORD & DRUG ACTIVITY

HUD has established standards that prohibit admission of:

- Any household in which any member was evicted in the last three (3) years from federally assisted housing for drug-related criminal activity

Adult applicant(s) have no history of engaging in criminal activity in the past five (5) years and no conviction record for a felony or for a lesser charge for the last five (5) years determined by management to be indicative of conduct which would represent a threat to the health, safety or right to peaceful enjoyment of the premises by other tenants (this includes any charge for possession or sale of illegal drugs).

- No member of the household is currently engaging in any drug-related criminal activity, violent criminal activity, or other criminal activity that would threaten the health, safety or right to peaceful enjoyment of the premises by other tenants, or that would threaten the health or safety of the management or owner, or any employee of the management or owner who is involved in the operation of the premises.
- No member of the household is subject to a lifetime registration under any sex offender registration program for any state.
- The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.
- Reasonable cause of behavior, from abuse or pattern of abuse of alcohol, may cause interference with health, safety, and right to peaceful enjoyment of other residents.

CRIMINAL HISTORY

The owner/agent will reject applications if any household member's criminal history includes one or more of the following:

- 1) Record of any conviction or adjudication, other than acquittal, of the following felonies by any household member
 - A. Murder
 - B. Arson
 - C. Felony Assault
 - D. Kidnapping
 - E. Burglary
 - F. Treason

- G. Crimes involving harm to children
- H. Sexual offenses
- I. Crimes involving explosives
- J. Crimes involving terrorism
- K. Crimes involving the manufacture, distribution or illegal use of illegal or controlled substances
- L. Fraud

- 2) Record of any conviction or adjudication, other than acquittal, of all but the felonies listed above within 10 years of conviction or parole, whichever is later
- 3) Record of three or more felony convictions or adjudications, other than acquittal
- 4) Record of any conviction or adjudication, other than acquittal, which involved a misdemeanor offense within 5 years of conviction or parole; whichever is later
- 5) Record of any act that interferes or may interfere with the peaceful and quiet enjoyment of the premises within 5 years of conviction or parole; whichever is later
- 6) Record of any conviction or adjudication, other than acquittal, which involved harm to a child
- 7) Record of any conviction or adjudication, other than acquittal, which involved harm to an animal
- 8) Record of any conviction or adjudication, other than acquittal, for any act covered under the Violence Against Women Act
- 9) Sex Offender Registration: Applicant is or ever has been subject to registration under a state sex offender registration program

In addition to HUD requirements, the owner/agent has established a policy to reject all applications where the applicant or any household member has engaged in criminal activity as described in this document.

SCREENING CRITERIA CONTINUED

ILLEGAL ALIENS

United States Code Title 8, subsection 12324(a) (1)(A) prohibits the harboring of illegal aliens. The provision of housing to illegal aliens is a fundamental component of harboring. Anyone claiming non-citizen status will be required to provide proof of legal immigration status even if the applicant is claiming to be a non-eligible, non-citizen.

VAWA

If criminal screening indicates an unresolved criminal charge or an unresolved charge of an act covered under the Violence Against Woman Act, the application will be suspended until the charge is resolved. At that time, the owner/agents current screening criteria will be applied.

If the owner/agent is unable to complete required criminal or sexual offender screening, the application will be rejected.

CRIMINAL SCREENING DISCOVERIES

If the criminal background investigation results indicate that the applicant does not meet the criminal screening criteria, the owner/agent will reject the applicant in accordance with HUD guidance and the owner/agent's standards for applicant rejection.

Before rejecting the household, the owner/agent will compare the information provided by the applicant with the criminal history report. If the information conflicts, the owner/agent will:

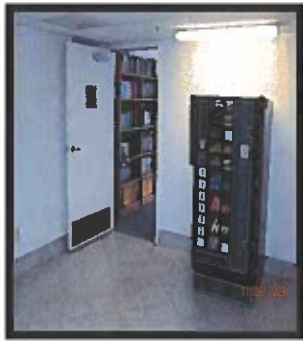
- 1) Notify the household of the proposed action based on the information;
- 2) Provide information about how to obtain a copy of the criminal record;
- 3) Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency;
- 4) Allow the household the opportunity to remove the household member.

In this situation, applicants will have (10) calendar days to resolve the discrepancy. If the applicant fails to contact the owner/agent or indicates that

REJECTING INELIGIBLE OR UNQUALIFIED APPLICANTS

The owner/agent reserves the right to reject applicants for admission based on the following:

- 1) No unit of the appropriate size exists on the property
- 2) The household fails to meet the HUD indicated eligibility requirements for the assistance program/property
- 3) Any non-exempt member of the household fails to provide a Social Security Number or adequate documentation to verify the Social Security Number (SSN)
- 4) Any member of the household fails to meet the applicant screening requirements – the owner/agent will consider the application again if the person who failed screening criteria is removed
- 5) Any member of the household fails to sign appropriate verification documents
- 6) Misrepresentation
- 7) Fraud
- 8) Any member of the household fails to respond to management inquiries for additional information during the application process
- 9) Any member of the household fails to respond to management inquiries while on the waiting list.
- 10) The owner/agent is unable to contact the applicant via US Mail (letters undeliverable or returned) and/or by phone (number disconnected or changed)
- 11) Any member of the household has a record of eviction, for lease violations, from any property within the last five years
- 12) There is record of outstanding or overdue payments to a previous landlord
- 13) There is record of outstanding or overdue payments to utility providers
- 14) Any member of the household refused to allow treatment of unit contents, at the cost of the owner/agent, when there is history of the presence of bed bugs, fleas, or other parasites.
- 15) The household is unable to pay the security deposit required
- 16) The household is unable to pay the first month's rent (TTP)
- 17) The household refuses two or more unit offers and has gone to the bottom of the waiting list once



**VENDING MACHINE
IN MAR VISTA**



**ELDORADO
LOBBY**



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LOBBY**

REJECTION PROCESS

REJECTION NOTICES

The owner/agent will promptly notify the applicant, in writing, of the denial of admission or assistance. The result of the eligibility determination will be sent to the head of household, as indicated on the application, via First Class Mail. The rejection notice will include:

- 1) The specifically stated reason(s) for the rejection
- 2) The applicant's right to respond to the owner/agent in writing or request a meeting within fourteen (14) calendar days to dispute the rejection
- 3) That persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process



**ELDORADO
OFFICE**

MEETINGS with APPLICANTS TO DISCUSS REJECTION NOTICES

Rejected applicants may request a meeting to discuss / appeal the denial. The owner / agent will grant a reasonable accommodation, if there is the presence of a disability, to allow the applicant to participate in the appeal. Common reasons to appeal denial include:

- If you believe the decision has been made in error
- If you believe there are extenuating circumstances that should be considered
- If you are a victim of abuse covered by the Violence Against Women Act and you feel your status as a victim contributes to the decision to deny (Section 8 and 202/8 programs only)
- If you are a person with a disability, and believe a reasonable accommodation would allow us to continue processing your application

If an appeal meeting is requested within 14 calendar days, a person who was not involved in the initial decision to deny will conduct a meeting with the applicant to discuss the rejection. The applicant may bring a representative of the applicant's choice to the appeal meeting.

If an applicant is clearly eligible and passes the screening guidelines, admission shall be authorized. Likewise, if the applicant is not eligible, or does not meet the screening requirements, rejection shall be authorized. The owner/agent will advise the applicant, in writing, of the final decision within five (5) business days of the meeting.

APPLICANT SCREENING



INTERVIEW TOPICS

The topics covered in the interview will be as follows:

1. Confirming and updating all information provided on the application.
2. Explain program requirements, verification procedures and penalties for false information. The penalties include eviction, loss of assistance, fines up to \$10,000 and imprisonment for up to five years.
3. Obtain family income and composition information and other data needed to verify eligibility and compute the tenant's share of the rent.
4. Review the financial information on the application and specifically ask the tenant whether any member of the household:
 - § Receives any types of income (e.g. self employment income, unemployment compensation, income maintenance payments)
 - § Has any assets
5. Sign the release of information consent portion of the Authorization for Release of Information (Forms HUD 9887 & 9887-A) and any other necessary verification required.
6. Obtain consent forms for verification for all household members as appropriate.
7. Inform the applicant of the screening requirements.
8. Require the head of household, spouse, or co-head to give a written certification as to whether any family member did/did not dispose of any assets for less than fair market value during the two years preceding the effective date of the certification. The certification must include a list of all assets disposed of for less than fair market value, the dates disposed of, the amount received, and the asset's market value at the time of disposition.
9. Disclose and document all SSN.
10. Advise family that HUD will compare the information supplied with information federal, state, or local agencies have on the family's income and household composition.
11. Inform the family that a final decision on eligibility cannot be made until all verifications are complete.
12. Provide each tenant with a copy of the appropriate HUD fact sheet, which describes how the tenant's rent is calculated.
13. Inform the family that the federal laws prohibit the owner from discriminating against individuals with disabilities.
14. In summary, owners have responsibilities for making reasonable accommodations in policies, providing auxiliary aids, making units and facilities accessible, and permitting disabled persons to use assistance animals when they may provide the tenant with equal housing opportunities.

15. Inform applicant that if the documents requested are not returned in their entirety by the deadline specified, management will process the next applicant.
16. Inform all applicant(s) of housing for the elderly or disabled about the rules on owning pets.



COMPUTER LAB IN MAR VISTA

DETERMINATION OF APPLICANT ELIGIBILITY

Information needed to determine applicant eligibility shall be obtained, verified, and the determination of applicant eligibility performed, in accordance with HUD and property eligibility requirements.

The owner/agent will make a preliminary eligibility determination before adding a household to the waiting list or initiating final eligibility tasks. The owner/agent will review the application to ensure that there are no obvious factors that would make the applicant ineligible. If a preliminary eligibility review indicates that a household is eligible for tenancy but units of appropriate size are not available the owner/agent will place the household on the waiting list for the property and notify the household when a suitable unit becomes available.

If an applicant is otherwise eligible but no appropriate size unit exists in the property, the owner/agent will reject the application.

FINAL Determination of Eligibility

When a unit becomes available, all eligibility criteria, including the criteria described above will be reviewed before a final eligibility determination is made.

UNIT TRANSFER

UNIT TRANSFER POLICIES

The owner/agent will accept applications for transfer based on the following:

- 1) There is a need for a unit transfer because of a change in household size and /or composition
- 2) There is a verified need for a reasonable accommodation or a verified medical need for a different unit
- 3) There is a need for a unit transfer for a household that does not require the accessibility features in which they are living

Existing residents must complete a Unit Transfer Request. The Unit Transfer Request must be completed and signed by the head of household and all adult household members who wish to move.

The owner/agent will accept the first Unit Transfer Request in an equally effective format, as a reasonable accommodation, if there is a presence of a disability.

Special consideration is given when the unit transfer is requested because:

- 1) There is a verified need for a reasonable accommodation or a verified medical need for a different unit
- 2) The resident has requested and qualifies for a VAWA emergency transfer
- 3) There is a change in household size that makes the current unit to large or to small based on the owner/agent occupancy standards

Except under specific circumstances unit transfers will be granted only if:

- 1) The household has not given notice to move
- 2) The resident is not being evicted
- 3) The resident is current for all outstanding charges
- 4) The resident has entered into a repayment to fully and accurately report income or household composition
- 5) The resident has not record of more than one record of lease violation in the last 12 months
- 6) The resident has no record of no lease violations
- 7) The resident complies with lease provisions regarding decent, safe and sanitary conditions of the current unit

A Unit Transfer Request for a household whose size/composition has not changed since move in (or most recent transfer) will not be considered for at least one year unless the request is to address a verified medical need/reasonable accommodation or the request is a VAWA Emergency Transfer Request.

SECURITY DEPOSITS, PET DEPOSITS AND UNIT TRANSFERS

When a resident owns a pet, the original unit will be assessed by damages caused by the pet. The Pet Deposit will be reduced by damages and the resident will be required to obtain the Pet Deposit balance of \$300 for the new unit. The resident will be allowed to pay the new Pet Deposit balance due in \$10 monthly payments until the \$300 deposit is obtained.

SECURITY DEPOSITS AND TRANSFERS

When a resident transfers to a new unit with all other household members, the owner/agent will transfer the existing Security Deposit to the new unit. The resident will receive a bill for fees or damages. This bill must be paid within 30 days.

HOUSEHOLD SPLIT

In some cases, a household may split. A Split Household is defined as one assisted household becoming two or more assisted households.

This happens when one or more household members move out of the unit into a new unit. Some of the original household members remain in the original unit.

When this happens, those members establishing a "new" household will be treated as applicants with a preference. New application documents must be completed and submitted to the owner/agent.

The "new" household must be eligible and must meet all screening requirements. The Resident Selection Process in affect at the time of the final eligibility determination will be used.

SECURITY DEPOSITS, PET DEPOSITS, HOUSEHOLD SPLITS

If the household splits and one or more of the residents remain in the unit, the security Deposit will remain in the original unit and the new Security Deposit will be collected for the new unit.

If a pet remains in the original unit, the Pet Deposit will remain with the original unit. If a pet will reside in the new unit then a new Pet Deposit will be collected for the new unit.

If the pet is being moved to the new unit, the original pet owner/resident will be assed any damages caused by the pet. The Pet Deposit will be reduced by damages and the resident will be required to obtain the Pet Deposit balance of \$300 for the new unit. The resident will be allowed to pay the new Pet Deposit balance due in \$10 monthly payments until the \$300 deposit is obtained.

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