



COBURG ROAD APARTMENTS HUD SECTION 8 TENANT SELECTION PLAN AND SCREENING CRITERIA

- I. Anyone wishing to be admitted to a project or placed on a project waiting list must complete an application. In addition to providing applicants the opportunity to complete applications at the project site, owners may also send out and receive applications by mail. Owners shall accommodate persons with disabilities who, as a result of their disabilities, cannot utilize the owner's preferred application process by providing alternative methods of taking applications. **Coburg Road Apartments does not restrict or have preference for elderly and/or disabled individuals or families. Coburg Road Apartments is a property based Section 8 family community.**
- II. The application should contain enough information to enable the Manager to:
 1. Tentatively determine the family's eligibility in the following manner:
 - Family Size
 - Estimated annual income. Household annual income may not exceed current HUD income limits.
 - Current assets
 2. Determine unit size
 - Occupancy standard is two people per bedroom
 - Adult applicants, non-spouses will not be required to share a bedroom
 3. Screen applicants as follows when a unit becomes available:

General Requirements

- Two pieces of positive identification will be required: a) either a Driver's License, State ID Card, current Passport, birth certificate, or
- Other form of valid identification for all household members. All household members must submit their Social Security Numbers and provide documentation to verify each Social Security Number before they can be placed in the program. If Social Security Numbers for all applicants in the household cannot be submitted, the applicant household will be allowed to retain their place on the waiting list until a unit becomes available. If all non-exempt household members have not disclosed and/or provided verification of their Social Security Numbers at the time a unit becomes available, the next eligible applicant must be offered the available unit. The applicant who has not disclosed and/or provided verification of SSNs for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose and/or verify the SSNs. During this 90-day period, the applicant may, at its discretion, retain its place on the waiting list. After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list. Exceptions: Applicants 62 or older as of January 31, 2010 who were already receiving federal housing and already disclosed their SSN, applicants who were already receiving housing and already disclosed their SSN and applicants who do not contend to have eligible immigration status. A birth certificate for all dependants in the household will be required also. We will make copies of your ID and Social Security Card for your file if we have a copy machine available, if not then you must provide these copies. Live-in aids and foster children are subject to the above social security number requirement.
- A complete and accurate application, listing a current and at least one previous rental reference with phone numbers, will be required. Incomplete applications will not be processed. Applications with information withheld or falsified will be denied. Each legal applicant will be required to qualify individually. The household must meet the documentation requirement of citizenship or eligible immigration status.
Only U.S. citizens or eligible Noncitizens may receive assistance. Verification of U.S. citizenship or U.S. nationality is required. Noncitizen students and their Noncitizen families may not receive assistance. However, a household of two or more members that has at least one member who are citizens may receive prorated assistance. This property is a Section 8 property, and therefore the restriction on assistance to noncitizens applies. All individuals are required to declare their citizenship status on a Citizenship Declaration form, which will be retained in the family's file throughout tenancy plus 3 years. By law, assistance in subsidized housing is restricted to US citizens or nationals, and noncitizens that have eligible immigration status. However, the law also allows for "mixed" families to live in subsidized housing, a family where at least one member of the family is an individual who is either a citizen or a noncitizen with eligible immigration status, and at least one member of the family is an individual who does not contend eligible immigration status." In a mixed family the member(s) who do not contend eligible immigration status will be required to check the third box on the Citizenship Declaration form. A copy of this form in the tenant file indicates that this family member is not required to disclose and provide verification of a SSN. The property will not deny assistance to a mixed family due to nondisclosure of a SSN by an individual who does not contend eligible immigration status.
- All members of the household who is at least 18 years of age and the head, spouse or co-head, regardless of age and income, must sign HUD 9887-9887A Notice and Consent for Release of Information.
- Unfavorable information for any individual applicant may result in denial of all applications for the household.
- New additions to the household at least 6 years of age or older and those under 6 years of age who have been assigned a social security number must provide the social security number and documentation to verify each social security number, each adult must meet the same criminal and credit criteria as other applicants, and submit their Photo ID, Social Security Numbers or other form of ID. Live-in attendants must meet the same criminal criteria as other applicants submit their social security number and provide documentation to verify the social security number.
- Effective January 31, 2010 the EIV (Enterprise Income Verification) system became mandatory for use by HUD. This system will be used as part of the applicant screening process to determine if the applicant(s) are receiving federal housing, multiple subsidies, validate applicant's social security numbers and will be used in the income verification process for the household.
- The unit must be the household's only residence.
- The applicants(s) must agree to pay the rent required by the program under which you will receive assistance.

Student Eligibility

- A Student cannot receive Section 8 assistance if he/she: Is enrolled as a student at an institution of higher education) as defined under section 102 of the Higher Education Act of 1965 (2 YSC 1002))
Unless the student is:
1-Is over 23 years of age
2-Is a veteran

- 3-Is married
- 4-Has dependent children
- Or

The student must be income eligible for section 8 assistance AND the student's parents who, individually or jointly, must be eligible to receive section 8 (unless the student can demonstrate his or her independence from parents)

Income Limits

Income limits are based on family size and the annual income the family receives. HUD establishes and publishes income limits for each county or metropolitan statistical area where the property is located. Income eligibility is determined by comparing the household's annual income to the current HUD income limits. HUD income limits are updated annually and are available at the property office, the local HUD office or online at www.huduser.org.

HUD requires Income Targeting at its communities. Income Targeting requires that at least 40% of apartments available annually are marketed and made available to applicants at 30% and lower of median household income. In some cases, this may mean that applicants on the waiting list may be skipped over and a more recent applicant accepted in order to fill the Income Targeting Requirements. Once these requirements are filled, applicants previously skipped will be eligible for housing in their original date of application order on the waiting list. The 40% target number is achieved by reviewing the number of move-outs from the prior calendar year and calculating 40% of those to target for applicants at 30% and lower of median household income for the current year. The site manager can provide additional information on Income Targeting upon request.

Rental History

- **All applicants must meet the following criteria:**
- Demonstrated ability to pay rent on time and to meet requirements of tenancy.
- **One (1) year of verifiable rental history from a third party landlord is required. Lack of rental history will not be grounds for denial, if applicant(s) are qualified in the other areas listed on this selection plan and screening criteria. – need co-signer**
- Home ownership will be verified through the county tax assessor's office. Mortgage payments must be current to reflect a positive payment history.
- Home ownership negotiated through land sale contract must be verified through the contract holder.
- Three (3) years of eviction free rental history will be required. **(3 years for Federally assisted housing for drug related criminal activity.)**
- All addresses on the credit report will be questioned and evaluated.
- Any record of NSF checks will require security deposit/cleaning fee be paid by money order or cashiers check.
- **A minimum of 1 year rental history is desired. If prospective resident(s) have a negative rental history, or no rental history a co-signer may be required.**

Credit References

- **All applicants must meet the following criteria: HAVE NO CREDIT OR GOOD CREDIT; IF THE FOLLOWING IS NOT AVAILABLE THEN:**
- Lack of credit history will not be grounds for denial of the application.
- Outstanding bad debt exceeding \$1,000 on a credit bureau (i.e. slow pay, collections, bankruptcies, repossessions, liens, judgment & wage garnishment programs) may require a co-signer.
- Medical debt excluded, no more than ten (10) unpaid collections, small claims, or judgments will be allowed without a co-signer (see co-signer criteria below).
- Any record of NSF activity will require security deposit/cleaning fee be paid by money order or cashiers check.

Credit items warranting an automatic denial of application include:

- A previous eviction or judgment filed by a Property Management Company or previous landlord within the last three (3) years.
- Bankruptcies filed within one year from the application will be denied. Open bankruptcies will be denied. Credit that is so extremely poor that financial mismanagement continues after bankruptcy will be denied.
- Unverifiable social security number.
- False name, social security number, employment, etc. that is discovered in the screening of application.
- Multiple bad debts exceeding \$15,000 on the credit file will be grounds for denial of the application.

Illegal Drugs

- Inquiries will be made of each applicant to determine if the applicant or any member of household has been convicted of illegal manufacture and/or distribution of a controlled substance. We may attempt to verify accuracy of information provided by consulting with a third party (i.e.: law enforcement agencies). **If as a result of verifying with these third party agencies a conviction is found, the application will be denied.**
- A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property **by other residents will result in denial of the application.**

Criminal History

- A conviction or convictions for any felony or misdemeanor involving theft, dishonesty, assault, intimidation, drug-related or weapons charge, obscenity or related violations, sex crimes or child sex crimes is reason for denial of the rental application. **However, if household members have completed a supervised drug or alcohol rehabilitation program, they must provide appropriate documentation of the successful completion of a rehabilitation program before approval of the application.**
- A criminal history background check to determine if an applicant, or a member of an applicant's household, is subject to a lifetime registration requirement under a State sex offender registration program. This check will be carried out with respect to the State in which the housing is located and with respect to States where the applicant and members of the applicant's household are known to have resided. Any applicant or a member of the applicant's household that is subject to a lifetime sex offender registration requirement is reason for rejection of the rental application.
- Any individual whose tenancy may constitute a direct threat to the health or safety of the public or other tenants, or whose tenancy may result in substantial physical damage to the property of others will be denied tenancy.

- A household containing a member who was evicted in the last three (3) years from Federally assisted housing will result in a denial of the household application
- **For any household member, if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents, will result in a denial of the application.**
- **Violence Against Women and Justice Department Reauthorization Act of 2005 (VAWA)** The law offers the following protections against eviction or denial of housing based on domestic violence, dating violence or stalking:
- The VAWA protections apply to families applying for or receiving rental assistance payments under the project-based Section 8 program. The law protects victims of domestic violence, dating violence, sexual assault or stalking, as well as their immediate family members generally, from being evicted or being denied housing assistance if an incident of violence is reported and confirmed.
- The applicant must provide certification using HUD form HUD-91066 or other supporting documentation to receive protection under the VAWA.
- An applicant's or program participant's status as a victim of domestic violence, dating violence, sexual assault or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

Co-Signer Criteria:

The Co-signer must also meet a list of criteria as follows:

- The Co-signer must have good credit.
 - The Co-signer should have a gross monthly income of five (5) times the monthly rent amount.
 - The Co-signer must live in the United States.
 - The Co-signer must also sign the Bennett Management Company, LLC Guaranty Agreement.
- The Co-signer must understand that should the applicant default on the rental payments and/or damage the unit, BMC will look to both the Co-signer and the tenant for compensation.

Wait List

Applicants are placed on the waitlist for the appropriate unit size in chronological order. Applicants do not need to disclose or provide verification of a SSN for all non-exempt household members at the time of application and for placement on the waiting list. However, applicants must disclose and provide verification of a SSN for all non-exempt household members before they can be housed. An exception to the order of processing applications is made when necessary to fulfill HUD's income targeting requirements. All applicants must update their applications no later than every six (6) months. If an applicant is contacted by the landlord with a letter requesting his or her application update, the applicant will have ten (10) days in which to respond, and then their application is removed from the waiting list. If the application is removed and the applicant wishes to be placed back on the waiting list, the application must start with a new eligibility date and time.

The application will be removed from the wait list if:

The applicant no longer meets the eligibility requirements for the property or program;

The applicant fails to respond to a written notice for an eligibility interview;

The applicant is offered a unit in the property and rejects the unit.

Mail sent to the applicant's address is returned as undeliverable; If an applicant is removed from the waiting list, and subsequently the owner determines that an error was made in removing the applicant (e.g., the incorrect address was used in sending mail to the applicant, (**the applicant did not respond to information or updates because of a disability**), the applicant must be reinstated at the original place on the waiting list.

Per HUD the owner's policy on opening and closing the wait list is as follows:

Closing the Wait List

- 1) The waiting list may be closed for one or more unit sizes when the average wait list is excessive (e.g. one year or more).
- 2) The owner will advise any potential applicants that the wait list is closed and will refuse to take additional applications.
- 3) The owner will publish in writing, were it will be read by all potential applicants, the reason as to why the wait list has been closed and why any additional applications are being refused.

Opening the Wait List

- 1) The owner will publish in the same manner as when the wait list was closed, an announcement that the wait list is not open and potential applicants are welcome to submit applications. The notification will provide the guidelines for applying to a Section 8 based property and what order applications are being accepted in.
- 2) The owner will publish that the wait lists are now open to all outreach resources and agencies to meet the AFHMP.

III. As units become available for occupancy an interview with the applicant will be scheduled to discuss the following:

- Application information will be completed, updated and thoroughly reviewed. .
- Program requirements and penalties for false information should be explained. Penalties include loss of assistance, fines up to \$10,000 and imprisonment for up to five (5) years. All members of the household who is at least 18 years of age and the head, spouse or co-head, regardless of age and income, must sign HUD 9887-9887A Notice and Consent for Release of Information at move-in, initial and at each annual recertification, regardless of whether he or she has income. This form must be signed when a new adult member joins the household, and when members of the household become 18 years of age. The consent allows HUD to verify information with the IRS, the Social Security Administration, and with state agencies that maintain wage and unemployment claim information. In addition to the 9887-9887A Notice and consent for Release of Information and the appropriate Consent Forms, applicants/ must sign Individual Verification Forms for obtaining documentation from third parties, to verify an applicant's income and deductions for determining the rent.
- Other household income and composition information needed to certify eligibility and complete tenant's share of rent should be obtained.
- Financial information on the application should be reviewed and tenant will be specifically asked what sources of income they are receiving (includes anything that adds to earnings) and if they have any assets. Combined annual income for the household must be within the income limits set by HUD.
- Any financial assistance, in excess of amounts received for tuition that an individual receives under the Higher Education Act of 1965 from an institution of higher educations (as defined under the Higher Education Act of 1965) 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. Financial assistance does not include loan proceeds for the purpose of determining income.
- Head of Household, spouse and household members age 18 and over will be asked to sign a release of information for any verification requests needed.

- Head of household, spouse, co-head and any household member age 18 or older will be required to give written certification as to whether any family member did/did not dispose of any assets for less than fair market value during the past two years preceding the effective date of the certification / re-certification.
- Applicant should be told that a final decision on eligibility cannot be made until all verifications are complete.

IV. Unit Transfers

- Unit Transfer Requests are processed in accordance with the Unit Transfer Policy explained below. The owner/agent will consider a unit transfer for the following reasons:
 - There is a need for a unit transfer because of a change in household size and/or composition
 - Tenants must request a transfer and reasonably believe that they are threatened with imminent harm from further violence if the tenant remains in the same unit.
 - There is a verified medical need for a different unit
 - There is a verified need for an accessible unit
 - The resident lives in an accessible unit and no longer needs the accessibility features
 - Existing residents must complete an application. The application must be completed and signed by the head of household and all adult household members who wish to transfer. The transfer request may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.
- Factors concerning approval of transfers are as follows:
 - A household that has given a 30-day notice-to-move need not be transferred
 - The household must be able to establish mandatory utilities in the new unit (gas, electric, water, etc.)
 - A household whose unit meets the owner/agents occupancy standards and who does not require the unit transfer as a reasonable accommodation/medical need must have been a resident in good standing for at least one year. A resident in good standing must meet the following criteria:
 - No current outstanding balances owed for 60 days or more
 - No confirmed complaints against the resident for disturbing the peace and quiet comfort of other neighbors and/or their guests
 - Last unit inspection resulted in no findings of damage or undue wear and tear and no findings of unsafe or unsanitary conditions
 - No major lease violations within the last year
 - No more than three minor lease violations within the last year
- Security Deposits & Unit Transfers
 - When a Resident transfers to a new unit, the owner/agent will charge a new deposit and refund the deposit for the old unit less any outstanding amounts for rent, fees, or damages. If a household requests a unit transfer to address a household member's disability, the owner/agent will pay for the move unless doing so would change the nature of the program or would cause undue financial and administrative burden
 - If your request is approved, but no appropriate units are available, your name will be added to the property waiting list and you will be provided preference based on your status as an existing resident. When an appropriate unit is available, you will have a maximum of 30 days to complete the transfer. If you are unable to transfer within 30 days, the unit will be offered to the next person on the waiting list in compliance with the waiting list management policy.
 - You have the right to refuse two offered units. The first time a unit offer is refused, the next household on the waiting list will be offered the unit (in accordance with our resident selection plan), and your name will remain at the top of the list. The second time a unit offer is refused, your name will be removed from the waiting list, and a new unit transfer request will not be considered for at least six months. (The owner/agent will consider reasonable accommodation in this case, if there is the presence of a disability).
 - If the unit transfer is mandatory because the household is over or under housed, the resident will have 30 days to move or assistance will be terminated in accordance with Chapter 19 of the HUD Model Lease revised 12/2007.
 - If your request for a unit transfer is denied, you may appeal the decision within 14 calendar days from the date of the denial letter. Someone who was not involved in the original decision to deny will review your appeal.

- V. If, at any time an applicant is denied residency or eligibility for assistance, he/she will be given the opportunity to have the decision reviewed in accordance with HUD requirements.

REJECTION POLICY

You have the right to dispute the accuracy of any information provided to the landlord by a credit-reporting agency. If your application is rejected due to unfavorable credit information received during the screening process, you may contact Transunion to identify who is reporting unfavorable information.

Transunion P.O. Box 1000 Chester PA 19022
1-800-888-4213

If you desire a copy of the report, contact the credit-reporting agency at the address and telephone number provided. If the information provided to the landlord was incorrect, you may chose to correct the information and request the credit reporting agency to provide the corrected information to the landlord. Upon receipt of the corrected and satisfactory information, your application will be evaluated again for the next available apartment.

Owners may consider extenuating circumstances in evaluating information obtained during the screening process to assist in determining the acceptability of an applicant for tenancy. If the applicant is a person with disabilities, the owner will consider extenuating circumstances where this would be required as a matter of reasonable accommodation.

Any person with a disability has the right to request a reasonable accommodation to participate in the informal hearing process if denied. Any applicant has the right to respond in writing or request a meeting within 14 days to dispute the rejection of an application. Within 5 business days of the informal hearing, the owner will advise the applicant in writing of the final decision on eligibility.

It is the policy of this property to guard the privacy of individuals, and to ensure the protection of individuals' records maintained by the property. Some of these records are obtained through HUD's Enterprise Income Verification (EIV) system. Management has established safeguards to deter any of its agents or employees from disclosing or inappropriately inspecting such documents.

The Federal Privacy Act also prohibits the disclosure of an individual's information to another person without the written consent of such individual. The EIV data of an adult household member may not be shared (or a copy provided or displayed) with another adult household member or to a person assisting the applicant with the recertification process, unless the individual has provided written consent to disclose such information. However, the O/A is not prohibited from discussing with the head of household and showing the head of household how the household's income and rent were determined based on the total income reported and verified.

Disclosure of the EIV information to Service Coordinators even though the applicant signs a release of information consent form authorizing the Service Coordinator to have access to their file is not allowed unless the Service Coordinator is present during the interview and assisting the applicant/tenant with the certification process. The statute authorizing the computer matching identifies those parties to whom the information can be disclosed and the statute does not include Service Coordinators.

With the written consent of the applicant, EIV data may be shared with persons assisting the applicant/tenant with the certification process.

Applicants/tenants who require assistance during the certification process may have a representative present to assist them in their ability to participate in the certification process; this includes review and explanation of the written third party income verifications. Disclosure of EIV information to these parties must be employment or income information pertaining only to the applicant/tenant who has provided his/her consent. These parties must not have access to EIV information for any other household members. Parties to whom the applicant can provide written consent include Translators/Interpreters, individuals assisting an elderly individual or a person with a disability, guardians, powers of attorney, service coordinators (only if they are present at and assisting the applicant/tenant with the certification process), and other family members.

Safeguards

Management is currently in compliance with the EIV system and has established guidelines in the property's Policies and Procedures manual outlining technical, administrative and physical safeguards for staff to implement for ensuring the security and confidentiality of applicant/tenant records.

Penalties for Willful Disclosure or Inspection of EIV Data

- **Unauthorized Disclosure** – felony conviction and fine up to \$5,000 or imprisonment up to five (5) years, as well as civil damages.
- **Unauthorized Inspection** – misdemeanor penalty of up to \$1,000 and/or one (1) year imprisonment, as well as civil damages.

With EIV System Access

All EIV users who have access to the EIV system must adhere to the EIV ROB signed at the time of requesting access to the EIV system.

EIV System Access

O/A, service bureau, HUD, and CA staff who do not have access to the EIV system but who view or use EIV data/reports provided by authorized EIV Coordinators or EIV Users in order to perform their job functions must adhere to the EIV ROB posted on the EIV website at: <http://www.hud.gov/offices/hsg/mfh/rhiip/eiv/rulesofbehavior.pdf>. These rules must be signed and kept on file. Upon request, the signed ROB must be made available to the entity monitoring EIV compliance.

When accessing the EIV system for verifying tenants' information at the time of recertification's, all authenticated users employed by management have been authorized by management to use the system, have been given annual security awareness training, have been certified within the timeframes dictated by HUD, and have been informed that management is monitoring their use of the EIV system. All system users have signed HUD's Rules of Behavior indicating they understand the information obtained may only be used for official HUD business, and that willful disclosure or inspection of EIV data can result in civil and criminal penalties including fines up to \$5,000 and/or imprisonment up to five (5) years, as well as civil penalties. These users have also agreed to follow HUD standards, policies, and procedures in protecting EIV data within their control, whether online, printed, or stored in media. Management has designated secure areas at this property and has trained its staff to protect all sensitive data, including locking their computers and exiting the EIV system when not at their desk, and to dispose of EIV information properly.

If you feel that your application has been evaluated incorrectly please feel free to write to Bennett Management Company, LLC at the following address: Bennett Management Company, LLC, Attn.: Property Manager, PO Box 10342, Eugene, OR 97440 or contact our office at (541) 485-6991 or TTY 711 to request a meeting within 14 days of the rejection.

ABUSIVE OR NEGATIVE BEHAVIOR TOWARDS ANY BENNETT MANAGEMENT COMPANY, LLC EMPLOYEE WILL BE GROUNDS FOR IMMEDIATE DENIAL OF YOUR APPLICATION

Coburg Road Apartments does not discriminate on the basis of race, color, religion, sex, national origin, familial status, or disability in the admission or access to, or treatment or employment in, its federally assisted programs and activities, with the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973: and all other relevant civil rights laws and statutes