

# RESIDENT SELECTION GUIDELINES

**The Apartments Resident Selection Plan was developed to be consistent with the Mission statement and the properties management and financial ability to provide needed services in compliance with all applicable laws and HUD regulations.**

Walton's Senior, Independent Living properties consists of buildings that are one storey in height. The properties contain 40 subsidized apartments, one non-revenue apartment for staff and one community building. The apartments serve a resident population of elderly persons with and without mobility disabilities. The apartments are restricted to households whose head, co-head or spouse are age 62 or older. The economic income limits of the Independent Living Horizons Apartments, is very low. We currently have three of these Senior communities and their locations are as follows:

1. Independent Living Horizons Six Inc or Walton Terrace – 2950 Richmond Hill Rd. Augusta, Ga. 30906
2. Independent Living Horizons Eight Inc or Walton Ridge – 3551 Windsor Sp Rd. Hephzibah, Ga. 30815
3. Independent Living Horizons Nine Inc or Vincent Village – 218 W. Five Notch Rd. North Aug. S.C.

## **1. FAIR HOUSING AND EQUAL OPPORTUNITY REQUIREMENTS STATEMENTS OF NONDISCRIMINATION**

It is the policy of this Property to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, Fair Housing Amendments Act of 1988, and any legislation protecting the individual rights of residents, applicants, or staff which may subsequently be enacted.

The Property shall not discriminate because of race, color, creed, religion, sex, national origin, familial status or handicap in the leasing, rental, or other disposition of housing in any of the following:

- a. deny to any household the opportunity to apply for housing, nor deny to any eligible applicant the opportunity to lease housing suitable to its needs,
- b. provide housing which is different than that provided others,
- c. subject a person to segregation or disparate treatment,
- d. restrict a person's access to any benefit enjoyed by others in connection with the housing program,
- e. treat a person differently in determining eligibility or other requirements for admission,
- f. deny a person access to the same level of services, or
- g. deny a person the opportunity to participate in a planning or advisory group which is an integral part of the housing program.

The Property will seek to identify and eliminate situations or procedures which create a barrier to equal housing opportunity for all. In accordance with Section 504, the Property will make reasonable accommodations for individuals with handicaps or disabilities (applicants or residents). Such accommodations may include changes in the method of administering policies, procedures, or services.

In reaching a reasonable accommodation with, or performing structural modification for otherwise qualified individuals with disabilities, the Property is not required to:

- a. make structural alterations that require the removal or altering of a load-bearing structure,
- b. provide support services that are not already part of its housing programs,
- c. take any action that would result in a fundamental alteration in the nature of the program or service, or
- d. take any action that would result in an undue financial and administrative burden on the Property, including structural impracticality as defined in the Uniform Federal Accessibility Standards (UFAS).

## **2. PRIVACY POLICY**

It is the policy of the Property to guard the privacy of individuals conferred by the Federal Privacy Act of 1974 and to ensure the protection of such individuals' records maintained by the Property.

Therefore, neither the Property nor its agents shall disclose any personal information contained in its records to any person or agency unless the individual about whom information is requested shall give written consent to such disclosure.



This Privacy Policy in no way limits the Property's ability to collect such information as it may need to determine eligibility, compute rent, or determine an applicant's suitability for tenancy.

Consistent with the intent of Section 504 of the Rehabilitation Act of 1973, any information obtained on handicap or disability will be treated in a confidential manner.

### 3. QUALIFYING FOR ADMISSION

Based on Federal Regulations, the Property may not admit ineligible applicants. In the selection of applicants for admission, Eligibility Criteria has been established in accordance with HUD guidelines. All applicants will be screened carefully and the following eligibility standards will be applied:

In order to be ELIGIBLE, a household must meet six tests:

- a. must have previously demonstrated an ability to pay rent and adhere to a Lease,
- b. must have an Annual Income at or below program income limits,
- c. must have a Social Security Number for each household member six years of age or older, if no Social Security Number assigned they must sign certification stating this,
- d. the household size must be appropriate for the available apartments,

Occupancy Standards: Applicants must meet the established occupancy standards. As a general policy there should be a minimum of one person per bedroom and no more than two persons per bedroom. Management shall take into consideration mitigating circumstances in cases where applicants or residents have a verifiable need for a larger unit.

Any family placed in a unit size different than that defined in these Occupancy Standards shall agree to transfer to an appropriate size unit when one becomes available (in accordance with the Transfer Policy and Lease Addendum).

Dwelling units will be assigned in accordance with the following standards:

<u>Bedroom Size</u>	<u>Persons Per Household</u>	
	<u>Minimum</u>	<u>Maximum</u>
1	1	2

- e. must not have a criminal background that falls in the following Criminal Activity:
  1. Eviction for Drug Related Criminal Activity: If the applicant or any household member has been evicted from federally assisted housing for drug related criminal activity, the application will be rejected.
  2. Illegal Drug Use: If the applicant or any household member is currently engaged in illegal use of a drug OR shows a pattern of illegal use that may interfere with the health, safety, or right to peaceful enjoyment by other residents, the application will be rejected.
  3. Alcohol Abuse: If a determination is made that the applicant or any household member's abuse, or pattern of abuse, of alcohol interferes with the health, safety or right to peaceful enjoyment of the premises by other residents, the application will be rejected.
  4. Sex Offenders: If the applicant or any household member has a conviction or adjudication other than acquittal, for any sexual offense, the application will be rejected.

**Being eligible, however, is not an entitlement to housing.** In addition, every applicant must meet the Resident Selection Guidelines. The Resident Selection Guidelines are used to demonstrate the applicant's suitability as a resident using verified information on past behavior, to document the applicant's ability, either alone or with assistance, and to comply with essential lease provisions and any other rules and regulations governing residency.

### 4. APPLICATION INTAKE AND PROCESSING

It is the Property's policy to accept and process applications in accordance with applicable HUD Handbooks and Regulations when applicable.



All applications are accepted either by mail or in person at Walton Terrace apartments, located at 2950 Richmond Hill Rd. Suite # 16 Augusta, GA 30906. Communications with applicants will be by First Class Mail, telephone and fax when necessary. Failure to respond to letters may result in withdrawal of an application from further processing. Management may make exceptions to the procedures described herein to take into account circumstances beyond the applicant's control (for example, medical emergencies or extreme weather conditions).

Every application must be completed and signed by the head of the household, spouse, and every adult household member 18 years and older. All other members of the household will be listed on the Application. Staff assistance might take the form of answering questions about the Application, helping applicants who might have literacy, vision, or language challenges, and, in general, make it possible for interested parties to apply for assisted housing.

## 5. PRIORTIES FOR ACCESSIBLE OR ADAPTABLE APARTMENTS

For apartments accessible to, or adaptable for, persons with mobility, visual, or hearing impairments, households containing at least one person with such impairment will have first priority (as applicable for a particular apartment feature). NOTE: Current residents in good standing, requiring accessible/adaptable apartments, shall be given priority over applicants requiring the same type apartment. Where persons without disabilities are moved into apartments designed to meet special needs, they shall do so only after agreeing to move to an apartment with no such design features should an applicant or current resident require an accessible apartment of the type currently occupied by the persons without disabilities.

## 6. WAITING LIST SELECTION PROCEDURES

NOTE: Current residents, in good standing, who may qualify for rental assistance or who meet the qualifications listed in the Transfer Policy for transfer to a different unit shall be given priority over applicants. It is likely that there will be more applicants for housing than can be assisted. In order to select those families most in need of housing, the following categories will be the basis of selecting residents from among all applicants:

- a. Handicapped or disabled eligible families when units are designated for their use
- b. Within each of the above listed groups, approved applicants will be housed based solely on the date and time of application.

## 7. WAITING LIST MANAGEMENT

It is the policy of Management to administer its Waiting List as required by HUD handbooks and regulations.

### a. Opening and Closing Waiting Lists

In order to maintain a balanced application pool, Property may, at its discretion, restrict application taking, suspend application taking, and close Waiting Lists in whole or in part. Property will also update the Waiting List by removing the names of those who are no longer interested in or no longer qualify for housing.

If Property has sufficient applications, it may elect to:

- 1) close the Waiting List completely,
- 2) close the Waiting List during certain times of the year, or

Decisions about closing the waiting list will be based on the number of applications available for a particular size and type of apartment and the ability of Property to house an applicant in an appropriate apartment within a reasonable period of time. Closing the Waiting Lists, restricting intake, or opening the Waiting Lists will be publicly announced. Property will use a one year waiting period to determine whether the Waiting List may be closed.

During the period when the Waiting List is closed, Property will not maintain a list of individuals who wish to be notified when the Waiting List is reopened.

b. Removal of Applications from the Waiting List

Property will not remove an applicant's name from the Waiting List unless:

- 1) the applicant requests that the name be removed,
- 2) the applicant was clearly advised, in writing, of the requirement to tell Property of his/her continued interest in housing by a particular time and failed to do so,
- 3) property made a reasonable effort, in writing, to contact the applicant to determine if there was continued interest in housing but has been unsuccessful, or
- 4) property has notified the applicant, in writing, of its intention to remove the applicant's name, because the applicant no longer qualifies for assisted housing, or
- 5) applicant refused third offer of unit for other than medically related reason.

## 8. INTERVIEWS AND VERIFICATION PROCESS

As applicants approach the top of the waiting list, they will be contacted to schedule an application interview. The interview shall be conducted in accordance with the HUD Handbook 4350.3.

No decisions to accept or reject applications shall be made until all information presented by the applicant on the Application has been verified.

## 9. VERIFICATION REQUIREMENTS

Property shall obtain verifications in compliance with requirements set forth in the HUD Handbook 4350.3. No decision to accept or reject an application shall be made until verifications keyed by the application form have been collected and any necessary Follow-up Interviews have been performed.

a. Types of Verification Required

All information relative to the following items must be verified as described in these procedures:

- 1) Eligibility for Admission, such as
  - a) Income, assets, and asset income
  - b) Household composition
  - c) Social Security Numbers of household members age 6 and older or Certification that Social Security has not been assigned
  - d) Birth certificate or official documentation of no such record on file, then other forms of identification may be used to verify age eligibility for the program.
- 2) Allowances, such as
  - a) Age, disability, or handicap of household members
  - b) Full time student status
  - c) Child care costs
  - d) Handicap expenses
  - e) Medical costs (for elderly/handicap households only)
- 3) Compliance with Resident Selection Guidelines, such as
  - a) Proof of ability to pay rent
  - b) Previously demonstrated adherence to Lease
  - c) Positive prior landlord reference, rent paying, caring for a home
  - d) History of criminal activity of any household member
- 4) Special Program Requirements, such as
  - a) Special needs housing based on disability

All the above information must be documented and appropriate verification forms or letters placed in the applicant or resident file.

b. Period for Verification



Only verified information that is less than 90 days old may be used for verification or recertification. Verified information not subject to change (such as a person's date of birth) need not be re-verified.

c. Forms of Verification - documentation required, as part of the verification process, may include:

- 1) Checklists completed as part of the interview process and signed by the applicant
- 2) Verification forms completed and signed by third parties
- 3) Reports of interviews
- 4) Documentation, ie, award letters, pay stubs, bank statements, etc
- 5) Notes of telephone conversations with reliable sources
- 6) Facsimile, email and internet

At a minimum, such reports will indicate the date and time of the conversation, source of the information, name and job title of the individual contacted, and a written summary of the information received.

Management staff will be the final judge of the credibility of any verification submitted by an applicant. If the staff considers documentation to be doubtful, it will be reviewed by Management staff who will make a ruling about its acceptability. Management staff will continue to pursue credible documentation until it is obtained or the applicant is rejected for failing to produce it.

d. Sources of Information - Sources of information to be checked may include, but not be limited to:

- 1) The applicant by means of interviews
- 2) Present and former housing providers
- 3) Present and former employers
- 4) Management record services
- 5) Household social workers, parole officers, court records, drug treatment centers, physicians, clergy, INS
- 6) Law enforcement

e. Preferred Forms of Verification - Verifications shall be attempted in the following order:

- 1) Third-party written
- 2) Third-party oral with a record kept in the files
- 3) Copies of third party documents provided by the household (i.e. Social Security or agency printout, award letter, pay stubs, bank statements, pharmacy printouts, payment book stubs for medical insurance premium, etc.)
- 4) In the absence of any of the above, affidavits from the household

Each file will be documented to show that the Property staff attempted to obtain third-party written documentation before relying on some less acceptable form of information.

## 10. Attempted Fraud

Any information provided by the applicant that verification proves to be untrue may be used to disqualify the applicant for admission on the basis of attempted fraud. The Property considers false information about the following to be grounds for rejecting an applicant:

- 1) Income, assets, household composition
- 2) Social Security Numbers
- 3) Preferences and priorities
- 4) Allowances
- 5) Previous residence history or criminal history
- 6) Citizenship, naturalization, and/or eligible immigration status

Unintentional errors that do not cause preferential treatment will not be used as a basis to reject applicants.

## 11. 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.

## 12. DETERMINATION OF APPLICANT QUALIFICATION

The Applicant Screening Policy

All applicants for HUD regulated housing will be screened according to the criteria set forth in these Resident Selection Guidelines. The following guidelines, which are based on those set forth in the HUD Regulations, relate to the individual behavior of each applicant household:

- 1) Past performance in meeting financial obligations, especially rent.
- 2) A record of disturbance of neighbors, destruction of property, or housekeeping habits at prior residences which may adversely affect the health, safety, or welfare of other residents or cause damage to the apartment or community.
- 3) Involvement in criminal activity on the part of any applicant household member which would adversely affect the health, safety, or welfare of other residents.
- 4) A record of eviction from housing or termination from residential programs.
- 5) An applicant's ability and willingness to comply with the terms of the Property's Lease and community's policies.
- 6) An applicant's misrepresentation of any information related to eligibility, allowances, household composition, or rent.

## 13. How Applicant's History Will be Checked

Listed below are the methods by which every applicant's performance, relative to each of the five criteria, will be checked:

- 1) Past performance meeting financial obligations, especially rent:
  - a) Contacting the current landlord and at least one prior landlord. The Landlord Verification Form will be used to gather previous rental history information.
  - b) The reason for checking with prior housing providers is that current housing providers of dangerous, destructive, or costly applicants may misrepresent information about them to get the Property to take over their problems. Contacts with all prior housing providers for at least the past five years are to be pursued.
  - c) If verified records of timely rental payments are received from management(s), no further documentation of past performance in meeting financial obligations, especially rent, need to be collected.  
  
Otherwise eligible households who apply for housing with outstanding balances owed to the Property must pay any balance owed within 120 days of filing an application prior to being placed on the Waiting List. Failure to pay within the allotted time will result in the application being rejected.
- 2) Disturbance of neighbors, destruction of property, or living or housekeeping habits that would pose a threat to other residents:
  - a) Staff will check for these potential problems with the current management and at least one former management using the Landlord Verification Form.
  - b) If the applicant is not currently living under a lease with a management, the housing provider will be asked to verify the applicant's ability to comply with Property lease terms as it relates to these guidelines. Any area for which the applicant has upkeep responsibility will be inspected.

- c) An applicant's behavior toward Property Manager will be considered in relation to future behavior toward neighbors. Physical or verbal abuse or threats by an applicant toward Property Staff will be noted in the file.
- 3) Involvement in criminal activity on the part of any applicant household member which would adversely affect the health, safety, or welfare of other residents.
- 4) Criminal history checks of convictions and outstanding warrants with local, state and possibly federal authorities.
- 5) A record of eviction from housing or termination from residential programs will be considered:
  - a) Property Manager will check Property records, management records, and other records to determine whether the applicants have been evicted from the Property, any other assisted housing, or any other property in the past
  - b) Records of evictions from residential programs will be checked with service agencies and with any housing providers referred by the applicant
  - c) Circumstances of any past eviction or termination in determining its relevance to Property tenancy.
- 6) Ability and willingness to comply with the terms of the Lease & Community Policies:
  - a) If an applicant is able to document that he/she is complying with Lease terms and Community Policies in current and former residences, through a combination of management references and verifications, this criterion will be considered to have been satisfied.
- 7) An applicant's misrepresentation of any information related to eligibility, award of priority for admission, allowances, household composition, or rent.
  - a) If, during the course of processing an application, it becomes evident that an applicant has falsified or otherwise misrepresented any facts about his/her current situation, criminal history, or behavior in a manner that would affect eligibility, priorities, application selection criteria qualification, allowances, or rent, the application shall be rejected.

#### **14. Obtaining Applicant Releases**

When applicants are interviewed prior to the eligibility and reference determination, all adult household members must sign the necessary releases required for gathering information needed to determine eligibility.

#### **15. Review of Recommendations for Admission or Rejection**

- a) If the applicant requests an additional interview to determine whether mitigating circumstances or reasonable accommodations would make it possible to accept his/her application, Management will do so based on Section 504 of the Rehabilitation Act of 1973.
- b) If an applicant is clearly eligible and passes the screening guidelines, admission shall be authorized. Likewise, if the applicant is ineligible, rejection shall be authorized.
- c) Management will follow the grievance process in compliance with requirements set forth in the HUD Handbook 4350.3

#### **16. Applicants with Disabilities or Handicaps**

Management must consider whether to reconsider a rejection of an applicant if he/she has a disability and the reasons for the rejection could be overcome by management's reasonable accommodation of the applicant's disability. For reasonable accommodations to apply there are several requirements. First, the applicant must have a verifiable disability [physical impairment that substantially limits one or more major life activities]. The disability



must have a direct correlation to the reason the applicant would be rejected. The applicant must request the reasonable accommodation and provide verification of his/her disability and his/her need for the accommodation. Finally, for the accommodation to be reasonable it cannot result in a financial or administrative burden to the Property. In some situations, even with reasonable accommodations, applicants with disabilities cannot meet essential program requirements. In these situations the applicant is not eligible and the applicant will be rejected. Examples of such situations are where the behavior or performance in past housing caused a direct threat to the health or safety of persons or property; past history or other information that shows the applicant's inability to comply with the terms of the Property's lease; or an objective determination that the applicant would require services from management that represent an alteration in the fundamental nature of the Property's program.

- 1) If an applicant makes a request, management will provide a reasonable accommodation if the applicant has a verifiable disability that is directly related to the request and providing the reasonable accommodation will not result in a financial or administrative burden to management.

## 17. REJECTION OF INELIGIBLE OR UNQUALIFIED APPLICANTS

The Property complies with applicant rejection requirements set forth in the HUD Handbook 4350.3. Management reserves the right to reject applicants for admission if it is determined that the applicant or any member of the household falls within any one or more of the following categories:

- a. **Misrepresentation:** Willful or serious misrepresentation in the application procedure for the apartment or certification process for any government assisted dwelling unit.
- b. **Records of Disturbance of Neighbors, Destruction of Property or Other Disruptive or Dangerous Behavior:** Includes behavior or conduct which adversely affects the safety or welfare of other persons by physical violence, gross negligence or irresponsibility, which damages the equipment or premises in which the family resides; or which is disturbing or dangerous to neighbors or disrupts sound family and community life.
- c. **Violent Behavior:** Includes evidence of acts of violence or of any other conduct, which would constitute a danger or disruption to the peaceful occupancy of neighbors.
- d. **Non-compliance with Rental Agreement:** Includes evidence of any failure to comply with the terms of rental agreements at prior residences, such as failure to recertify as required, providing shelter to unauthorized persons, keeping pets, or other acts in violation of rules and regulations.
- e. **Owing Prior Landlords:** Applicants who owe a balance to present or prior landlords will not be considered for admission until the account is paid in full and reasonable assurance is obtained that the contributing causes for nonpayment of rent or damages have changed sufficiently to enable the family to pay rent and other charges when due.
- f. **Owing Utility Providers:** Applicants who owe a balance to the local utility provider for present or prior residences may not be considered for admission until the account is paid in full and reasonable assurance is obtained that the contributing causes for failure to pay the utility bill have changed sufficiently to enable the family to pay and maintain utilities.
- g. **Unsanitary or Hazardous Housekeeping:** Includes generally creating any health or safety hazard through acts of neglect and causing or permitting any damage to or misuse of premises and equipment, if the family is responsible for such hazard, damage or misuse; causing or permitting infestation, foul odors or other problems injurious to other persons' health, welfare or enjoyment of the premises; depositing garbage improperly; failing to use in a reasonable and proper manner all utilities, facilities, services, appliances and equipment within the dwelling unit or failing to maintain them in a clean condition; or any other conduct or neglect which could result in health or safety problems or in damage to the premises.
- h. **Criminal Activity:** Management has established a policy to reject all applications where the applicant or any household member has engaged in certain criminal activity. The activities that will be grounds for rejection of an application are as follows:
  - a. Any conviction or adjudication other than acquittal of a violent nature.
  - b. Any conviction or adjudication other than acquittal for the sale, distribution or manufacture of any controlled or illegal substance.

- c. Any conviction or adjudication other than acquittal within the 10 years involving illegal use or possession of any controlled or illegal substance.
- d. Any current illegal user or addict of a controlled or illegal substance.
- e. Any act which results in the person's tenancy constituting a threat to the health or safety of other individuals, result in substantial physical damage to the property of others, or interfere with the peaceful and quiet enjoyment of the premises.
- f. Any conviction or adjudication other than acquittal, for any sexual offense.
- g. Any conviction or adjudication other than acquittal, which involved bodily harm to a child.
- h. Eviction for Drug Related Criminal Activity: If the applicant or any household member has been evicted from federally assisted housing for drug related criminal activity, the application will be rejected.
- i. Alcohol Abuse: If a determination is made that the applicant or any household member's abuse, or pattern of abuse, of alcohol interferes with the health, safety or right to peaceful enjoyment of the premises by other residents, the application will be rejected.

**Management reserves the right to require criminal background checks at any time during residency if in receipt of credible and verifiable information.**

## **18. ACCEPTANCE AND MOVE-IN OF ELIGIBLE AND QUALIFIED APPLICANTS**

- 1) Determination for Rent and Security Deposit
- 2) Monthly rent and security deposit amount will be determined in accordance with the Federal regulations governing the housing program and state law.

## **19. Offering an Apartment**

When an apartment becomes available for occupancy, it will be offered to the applicant at the top of the Waiting List for that apartment type. If the applicant cannot be contacted within five (5) working days, the offer will be cancelled and the apartment will be offered to the next applicant on the Waiting List.

In that event, the first applicant will be sent a letter requesting confirmation of its interest in remaining on the Waiting List. If the applicant replies affirmatively, its application will retain its position on the Waiting List. If the reply is negative, or if no reply is received within five (10) working days, the application will be withdrawn.

If an applicant rejects an offer three times, the applicant is removed from the Waiting List.

## **20. Transfer Policy**

- 1) The following reasons for transfer will be reviewed and may be granted:
  - A) Because of a Reasonable Accommodation due to a disability of a household member, a household may require an apartment that is larger than the apartment size provided in the property's Occupancy Guidelines.
  - B) A change in the household size requiring an increase or decrease in the apartment size to accommodate the new household size.
- 2) Residents requesting transfers for the above reasons will be placed on a transfer list based on apartment size requested.
- 3) Residents with a disability(ies) will be given priority for an apartment with accessible features.



**IT IS THE POLICY OF THIS COMPANY TO PROVIDE HOUSING ON EQUAL OPPORTUNITY BASIS. WE DO NOT DISCRIMINATE ON THE BASIS OF RACE, RELIGION, COLOR, SEX, FAMILIAL STATUS, NATIONAL ORIGIN OR HANDICAP.**

