



## La Vista Apartments

3838 Clayton Road

Concord, CA 94521

Ph: 925-676-1724

TTY: 877-735-2929

Lavistaapts@related.com

# Application For Occupancy

For Related Management  
Office Use Only:

Application Date / Time: \_\_\_\_\_

Application #: \_\_\_\_\_

Site Name is a Smoke-Free Community

**This application is to be completed by the head of household. All questions must be answered. If any questions are left blank, the application may be returned. If a question does not apply, please write "N/A." Head of household and all adult family members must sign the last page. Thank you.**

Head of Household Full Name:		
Street Address/Apartment Number:	City, State:	Zip Code:
Home Phone:	Secondary Phone:	Email Address:
Check which size units you would like to be considered for: <input type="checkbox"/> One Bedroom <input type="checkbox"/> Two Bedroom <input type="checkbox"/> Three Bedroom <input type="checkbox"/> Four Bedroom		Are you requesting a unit with special accommodations for any member of your household due to the following disabilities? <input type="checkbox"/> Mobility <input type="checkbox"/> Visual <input type="checkbox"/> Hearing
Check "Yes" if you have been displaced by one of the following state declared disasters: a) Urban Renewal Area; b) Disaster such as fire or flood; c) Government or state action; or d) Presidential-declared disaster: <input type="checkbox"/> Yes <input type="checkbox"/> No		

## Housing Status

*Complete each category as applicable, or write "N/A."*

Current Landlord Name/Address:		Landlord Phone
Current Managing Agent Name/Address:		Managing Agent Phone
Check the size of your current residence: <input type="checkbox"/> Studio <input type="checkbox"/> Three Bedrooms <input type="checkbox"/> One Bedroom <input type="checkbox"/> Four Bedrooms <input type="checkbox"/> Two Bedrooms <input type="checkbox"/> Other (specify):	How long have you lived at this address? ____ Years ____ Months	Is the lease in your name? <input type="checkbox"/> Yes <input type="checkbox"/> No
Are you sharing your apartment? <input type="checkbox"/> Yes <input type="checkbox"/> No	Total monthly rent for your apartment: \$	Your portion of monthly rent: \$
Does your current rent include utilities? <input type="checkbox"/> Yes <input type="checkbox"/> No	Average monthly utility expenses: \$	Is your landlord a relative? <input type="checkbox"/> Yes <input type="checkbox"/> No
Do you pay your own rent? <input type="checkbox"/> Yes <input type="checkbox"/> No	If not, who does?	Reason for wanting to move:
Do you currently have a portable Section 8 voucher? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes what is the current voucher size and rent amount: Size: Contract Rent Amount \$		Is your current rent subsidized through Section 8 or other rental assistance program? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes state type of rental assistance:
Are you currently without a regular nighttime residence? <input type="checkbox"/> Yes <input type="checkbox"/> No		Are you relocating due to violent or unsafe conditions? <input type="checkbox"/> Yes <input type="checkbox"/> No
Previous Landlord Name/Address: (list only if you have lived at your current address for less than 2 years)		Previous Landlord Phone:
Previous Managing Agent Name/Address:		Previous Managing Agent Phone
Previous monthly rent: \$	Reason for moving:	

Please list **all states** in which you and all members of your household have previously resided:

## Household Information

List all persons who will occupy the apartment, including yourself and persons anticipated to join the household (e.g., unborn child/children of expectant household members, children to be adopted, live-in aides, etc.).

Household Member Full Name:	Relationship to Head of Household:	Sex: (Male, Female, or Decline to Answer)	Date of Birth:	Last 4 digits of SSN:
1.	Head of Household			
2.				
3.				
4.				
5.				
6.				
7.				
8.				

Please list all household members who have served in the **U.S. military**:

## Income from Employment

List all **current** full-time and/or part-time employment income for all household members. (Include self-employment gross earnings and net taxable income.) If you do not currently receive income from employment, please write "N/A." See next page for non-employment sources of income.

Household Member Full Name:	Occupation:	Employer Name/Address/Phone:	Start Date:	Gross Earnings (Before Deductions and Taxes):
1		_____ _____		\$ _____ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly
2.		_____ _____		\$ _____ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly
3.		_____ _____		\$ _____ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly
4.		_____ _____		\$ _____ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly
5.		_____ _____		\$ _____ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly
6.		_____ _____		\$ _____ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly

# Income from Other Sources

List any and all other income sources not previously reported, including but not limited to: Social Security, S.S.I., AFDC/TANF, pension, disability compensation, Armed Forces regular and special pay, unemployment compensation, alimony, child support, annuities, dividends, income from rental property, recurring monetary contributions, etc. If you do not have any sources of additional income, please write "N/A."

Household Member Full Name:	Type of Income:	Income Amount:
1.		\$ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly
2.		\$ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly
3.		\$ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly
4.		\$ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly
5.		\$ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly
6.		\$ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly
7.		\$ <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Yearly

# Assets

Complete each category as applicable, or write "N/A."

<b>Checking Account</b>	Last 4 Digits of Account Number:	Current Balance as of Last Statement Date: \$ as of
Name/Address of Bank		
<b>Additional Checking Account</b>	Last 4 Digits of Account Number:	Current Balance as of Last Statement Date \$ as of
Name/Address of Bank		
<b>Savings Account</b>	Last 4 Digits of Account Number:	Current Balance as of Last Statement Date \$ as of
Name/Address of Bank		
<b>Money Market Account</b>	Last 4 Digits of Account Number:	Current Balance as of Last Statement Date \$ as of
Name/Address of Bank		
<b>Certificate of Deposit Account</b>	Last 4 Digits of Account Number:	Current Balance as of Last Statement Date \$ as of
Name/Address of Bank		
<b>401K/Other Retirement Account</b>	Last 4 Digits of Account Number:	Current Balance as of Last Statement Date \$ as of
Name/Address of Bank		
Do you receive income in the form of a <b>pre-paid debit card</b> (e.g. Direct Express, EBT, etc.)? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Do you own any <b>stocks/bonds</b> ? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, what is the current value? \$	
Do you own any <b>savings bonds</b> ? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, what is the current value? \$	
Do you own any <b>real estate</b> ? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, what is the current value? \$	
Have you ever owned any real estate? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, when? _____ When was it sold? _____ For how much? \$ _____	
Has any adult family member sold, given away, or otherwise disposed of any assets for less than fair market value during the past two years? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, list each asset and the amount received for each asset: Type of Asset _____ Amount \$ _____ Type of Asset _____ Amount \$ _____ Type of Asset _____ Amount \$ _____	

## Student Status

List all household members that are currently enrolled in an educational program, or write "N/A."

Full Name of Student:	School Name/Address/Phone:	Enrollment Status:
1.		<input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time
2.		<input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time
3.		<input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time
4.		<input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time
5.		<input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time
6.		<input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time

## Child Care and Medical Expenses

Complete each question as applicable, or write "N/A."

Do you pay for child care expenses for any household member under the age of 13? <input type="checkbox"/> Yes <input type="checkbox"/> No Names of children requiring child care:	If yes, name/address/phone of child care provider: _____ _____		Estimate of monthly child care costs: \$
If you are 62 or older or disabled, do you anticipate any medical and/or health related expenses for the next 12 months that are not reimbursed by any medical plan/insurance? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	If yes, please indicate the estimated yearly expense amount: \$	Amount of monthly Medicare premium: \$	Amount of other medical insurance monthly costs: \$

## Program Information

Complete each category as applicable, or write "N/A."

How did you hear about our development?	Why are you applying to our development?
Have you or any member of your household ever been evicted? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, when?
Explain circumstances briefly:	



By signing, you authorize us to contact any references listed and to obtain consumer reports, which may include credit and rental payment history about you and any occupants in the premises in order to verify the above information.

\_\_\_\_\_  
Signature of Head of Household

\_\_\_\_\_  
Date

WARNING: MISLEADING WILLFUL FALSE STATEMENTS OR MISREPRESENTATIONS OF THIS APPLICATION WILL BE GROUNDS FOR REJECTION OF THIS APPLICATION. AN INCOMPLETE APPLICATION WILL BE RETURNED TO THE APPLICANT FOR FULL COMPLETION (ONLY ONCE).

I DECLARE THAT THE STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

\_\_\_\_\_  
Signature of Head of Household

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant Over Age 18

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant Over Age 18

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant Over Age 18

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant Over Age 18

\_\_\_\_\_  
Date

## Demographic Data

*The following information is used only to determine program utilization for statistical purposes. This information will not affect the process application and is optional.*

### Ethnicity:

☐ Hispanic or Latino   ☐ Not Hispanic or Latino

### Race:

☐ American Indian or Alaskan Native   ☐ Asian   ☐ Black or African American   ☐ Native Hawaiian or Other Pacific Islander  
☐ White

If you are Limited English Proficient and need assistance to communicate (written or verbal) with us, which language do you prefer? \_\_\_\_\_



**La Vista**  
COMMUNITY NAME

**3838 Clayton Road**  
ADDRESS  
**Concord, CA 94521**

**(925) 676-1724**  
PHONE

**(925) 676-3874**  
FAX

**(800) 735-2929**  
TTY

**RESIDENT SELECTION CRITERIA – SECTION 8/ TAX CREDIT  
- FAMILY**  
(Post-Universe 10/1/1981)

**I. NON-DISCRIMINATION**

- A. **La Vista** is an Equal Housing Opportunity Community. As such, this Community adheres to all federal Fair Housing and Civil Rights laws, all state and local regulations concerning non-discrimination in housing and with all equal opportunity requirements in HUD administrative procedures.
- B. **La Vista** also adheres to the Fair Housing Act of 1968 concerning non-discrimination in housing.
- C. **La Vista** does not discriminate based on race, color, creed, religion, sex, marital status, actual or perceived sexual orientation, gender identity, national origin, ancestry, age, elderliness (persons over age 55), handicap or disability of any person, familial status, the use of a guide or support animal because of the physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is known to have a relationship or association.

**II. LIMITED ENGLISH PROFICIENCY (LEP)**

It is the policy of **La Vista** to provide persons with Limited English Proficiency (LEP) resources in order that they might be afforded equal access to all housing and housing related services. Management will take reasonable steps to ensure meaningful access to the information and services they provide for applicants with Limited English Proficiency. LEP Applicants will be provided with written and/or verbal application-related information in their language upon request. Management will also take reasonable steps to ensure meaningful access to those that are Sensory Impaired (SI). This may require Management to assist persons with Limited English Proficiency in the application process, including conducting the interview and completing the application.

Management will identify customers who do not speak English as their primary language and have a limited ability to read, speak, write or understand English (LEP) or are Sensory Impaired (includes but not limited to: deaf, deafened and hearing impaired, blind, visually impaired or deaf/blind).



After determining how to communicate with the customer, Management will secure the appropriate language assistance resource needed to communicate with the LEP/SI customer.

### **III. VIOLENCE AGAINST WOMENS ACT**

#### **PROTECTIONS PROVIDED UNDER THE VAWA**

The Violence Against Women Act (VAWA) provides protections to women or men who are the victims of domestic violence, dating violence, sexual assault and/or stalking – collectively referred to as VAWA crimes. The owner/agent understands that, regardless of whether state or local laws protect victims of VAWA crimes, people who have been victims of violence have certain rights under federal fair housing regulation.

This policy is intended to support or assist victims of VAWA crimes and protect victims, as well as affiliated persons, from being denied housing or from losing their HUD assisted housing as a consequence of their status as a victim of VAWA crimes. Affiliated persons include:

1. A spouse, parent, brother, sister, or child of the victim, or a person to whom the victim stands in the place of a parent or guardian (for example, the affiliated individual is a person in the care, custody, or control of the victim); or
2. Any individual, resident/applicant, or lawful occupant living in the household of that individual.

VAWA ensures that victims are not denied housing and housing assistance solely because the person is a victim of a VAWA crime. However, being a victim of a VAWA crime is not reason to change the eligibility or applicant screening requirements set forth in the Resident Selection Criteria unless such requirements interfere with protections provided under the VAWA.

For example: An owner/agent may waive the requirement to review landlord history for an applicant if the victim has provided necessary documentation to certify their status as a victim and if contacting a previous landlord would put the applicant's location at risk of exposure to the accused perpetrator.

#### **CONFIDENTIALITY**

The *Notice of Occupancy Rights under the Violence Against Women Act* provides notice to the resident/applicant of the confidentiality of information about a person seeking to exercise VAWA protections and the limits thereof. The identity of the victim and all information provided to the owner/agent relating to the incident(s) of abuse covered under the VAWA will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is:

1. Requested or consented to by the victim in writing; or
2. Required for use in an eviction proceeding or termination of assistance; or
3. Otherwise required by applicable law.

The owner/agent will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault and/or stalking in a separate file that is kept in a separate secure location from other applicant or resident files.

### **REQUESTS & CERTIFICATION**

When the owner/agent responds to a request to exercise protections provided under the VAWA, the owner/agent will request that an individual complete, sign, and submit the VAWA certification form, within fourteen (14) business days of the request. This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

If the applicant/resident has sought assistance in addressing domestic violence, dating violence, sexual assault and/or stalking from a federal, state, tribal, territorial jurisdiction, local police or court, the resident may submit written proof of this outreach in lieu of the certification form. The owner/agent will accept the following:

- A federal, state, tribal, territorial, or local police record or court record or
- Documentation signed and attested to by a professional (employee, agent or volunteer of a victim service provider, an attorney, medical personnel, etc.) From whom the victim has sought assistance in addressing domestic violence, dating violence and/or stalking or the effects of the abuse. The signatory attests under penalty of perjury (28 U.S.C. §1746) to his/her belief that the incident in question represents bona fide abuse, and the victim of domestic violence, dating violence and/or stalking has signed or attested to the documentation.

The victim is not required to name his/her accused perpetrator if doing so would result in imminent threat or if the victim does not know the name of his/her accused perpetrator.

### **LEASE BIFURCATION**

If the owner/agent determines that physical abuse caused by a resident is clear and present, the law provides the owner/agent the authority to bifurcate a lease i.e., remove, evict, or terminate housing assistance to any accused perpetrator, while allowing the victim, who lawfully occupies the home, to maintain tenancy.

### **LEGAL ACTION**

Victims are encouraged to seek police/legal protection from their accused perpetrator. In some cases, the owner/agent may file a restraining order against the accused perpetrator to prevent the accused perpetrator from entering the property.

### **LEASE ADDENDUM**

The HUD approved lease addendum will be implemented and provided in accordance with HUD guidance.

### ***EMERGENCY TRANSFER***

The owner/agent will consider an Emergency Transfer Request when a person seeking to exercise VAWA protections feels that he/she is:



- Is in imminent danger
- Was sexually assaulted on the property within 90 days of the request.

#### IV. ELIGIBILITY REQUIREMENTS

A. **Project Eligibility** – the applicant household must be a family. Family includes, but is not limited to, the following regardless of actual or perceived sexual orientation, gender identity, or marital status.

- A single person, who may be an elderly person, displaced person, disabled person, nearly-elderly person or any other single person; or
- A group of persons residing together and such groups includes, but is not limited to:
  - (1) A family, with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family;
  - (2) An elderly family;
  - (3) A near-elderly family;
  - (4) A disabled family;
  - (5) A displaced family; and
  - (6) The remaining member of a resident family.

*Note:* Remaining Family Member - The following basic requirements for eligibility must be met for a person to qualify as a remaining member of a household at a Project-Based Section 8 community:

1. The individual must be a party to the lease when the Head family member leaves the unit.
2. The individual must be of legal contract age under state law.

#### B. Tax Credit (Section 42) Eligibility Requirements

**Program Eligibility** – In order for the applicant household to be eligible for the Tax Credit (Section 42) program, the following criteria must be met:

- i. The applicant Head of Household must be of legal contract age (18 years of age or older or as defined by State Law);
- ii. An applicant household's gross income must be equal to or less than the income limit applicable to the property's minimum set-aside specified in the Tax Credit Allocation Agreement. (as indicated below);
- iii. Meet the Section 42 student status requirement (as outlined below);
- iv. Disclose all required information to confirm eligibility.

#### C. Section 8 Program Eligibility Requirements

**Program Eligibility** – In order for the applicant household to be eligible to receive



assistance under the program(s) specific to this property, the following criteria must be met:

**i. Citizenship Status**

U.S. Citizens and Eligible Non-Citizens who meet all eligibility requirements for admission will be provided full assistance under the 214 Non-Citizen Rule guidelines.

All citizen and non-citizen applicants are required to submit evidence of citizenship or eligible immigration status at the time of application; i.e., a signed declaration of U.S. citizenship or U.S. nationality, in order to receive assistance. It is further required that evidence of such declaration be provided. Adequate evidence will consist of a U.S. passport, U.S. birth certificate, Employment Authorization card, Temporary Resident card, or other appropriate documentation, as provided by Section 214.

1. All applicants must go through the Section 214 Review of the Housing and Community Development Act of 1980, as amended, to determine if any of the restrictions on assistance to noncitizens apply to their household. Management will not deny assistance to applicants who have submitted their immigration documentation in a timely manner, but for whom the DHS verification process has not been completed.
2. If a unit is available, the family has come to the top of the waiting list, and at least one member of the family has submitted the required documentation in a timely manner (within 30 days of request), management must offer the family a unit, providing subsidy to those family members whose documents were received on time.
3. However, until management has received and verified the immigration status of any remaining noncitizen family members, management must provide prorated assistance to the family.
4. If no members are able to provide verifiable documentation of citizenship, then occupancy will be denied until such time as the required documentation is provided.
5. If the applicant household has applied to the DHS for an informal hearing or an appeal with regard to verification of their citizenship status, management may not deny, delay or reduce assistance to the applicant household. The applicant household will be processed for move-in as usual. However, if after move-in, the DHS notifies management that the applicant household or any member of the applicant household is an ineligible noncitizen, assistance will immediately be terminated or prorated. (The DHS is required to notify the applicant household and management within 30 days of the hearing or appeal.)
6. A list of acceptable DHS documentation will be provided to the applicant household at the time they apply.

7. A family with one or more ineligible family members and one or more eligible family members may receive prorated assistance, continued assistance, or a temporary deferral of termination of assistance. The initial deferral period is for six months and may be extended for an additional six-month period, not to exceed 18 months.
8. Noncitizen students and their noncitizen families may not receive assistance. Noncitizen students are not eligible for continuation of assistance, prorated assistance, or temporary deferral of termination of assistance.
9. Noncitizens (except those age 62 and older) must sign a verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Noncitizens age 62 and older must sign a declaration of eligible immigration status and provide a proof of age document.
10. A noncitizen student is defined as an individual who is as follows:
  - a. A resident of another country to which the individual intends to return;
  - b. A bona fide student pursuing a course of study in the United States; and
  - c. A person admitted to the United States solely for the purpose of pursuing a course of study as indicated on an F-1 or M-1 student visa.
11. This prohibition applies to the noncitizen student's noncitizen spouse and children. However, spouses and children who are citizens may receive assistance. For example, a family that includes a noncitizen student married to a U.S. citizen is a mixed family.

ii. **Social Security Number(s) Requirement**

1. Applicants are not required to disclose or provide verification of social security numbers at the time of application or for placement on the waiting list. However, applicants who meet all eligibility admission requirements are required to disclose and provide verification of a valid and accurate social security number for all non-exempt household members before being housed.

**Exception:** A child under 6 who does not have a Social Security Number and had been added to the household within the six months prior to the date of admission. The applicant household will be given 90-days to provide documentation of the Social Security Number for the child. An additional 90-days will be granted if the failure to provide documentation of a social security number is due to circumstances outside the control of the household.

2. Disclosure of social security numbers do not apply to individuals who do



not contend eligible immigration status. Nor is the disclosure of social security numbers required for determining program eligibility of individuals in mixed families who do not contend eligible immigration status under HUD's noncitizen regulations.

3. Applicants who have not disclosed and/or provided verification of a valid and accurate social security number for all non-exempt household members at the time a unit becomes available will retain their place on the waiting list for 90 days from the date they are offered a unit; however, the next eligible applicant will be offered the available unit.

Applicants that have not disclosed and/or provided verification of a valid and accurate social security number for all non-exempt household members after 90 days from the date they are first offered an available unit, will be determined ineligible and removed from the waiting list.

4. Applicant household members 62 years of age and older who declare that their initial determination of eligibility began prior to January 31, 2010 with either a Public and Indian Housing (PIH) agency or in a Multifamily HUD assisted program will be afforded an exception of disclosure. If the applicant is unable to disclose and/or provide verification of a valid and accurate social security number during the eligibility process, management will attempt to obtain verification from the former PIH agency or the former Management Agent administering the housing assistance program on behalf of the applicant. However, the applicant's inability to disclose or provide verification of a valid social security number will not deem them ineligible for the exception or program eligibility.

5. Adding a New Household Member:

- a. Age Six (6) or Older or Under the Age of Six (6) with an Assigned SSN.

When adding a new household member who is age six (6) or older, or is under the age of six (6) and has a SSN, the tenant must disclose and provide verification of the SSN of the individual to be added to the household. This SSN must be provided to the Owner at:

- (1) The time of the request, or
- (2) At the time the recertification that includes the new household member is processed.

b. Under the Age of Six (6) Without an Assigned SSN.

- i. The tenant must disclose and provide verification of the new household member's SSN within 90 calendar days of the child being added to the household.
- ii. The Owner must grant an extension of one additional 90-day period, if the Owner, in its discretion, determines that the tenant's failure to comply is due to circumstances that



could not have been foreseen and were outside the control of the tenant, (e.g., delay in processing by SSA, natural disaster, death in family, etc.).

- iii. During the period that the Owner is awaiting disclosure and verification of the SSN, the child is included as part of the household and shall be entitled to all of the benefits of being a household member, including the dependent deduction.
  - iv. A TRACS ID will be assigned to the child until the time the SSN is provided. At the time of the disclosure of the SSN, an interim recertification must be processed changing the child's TRACS ID to the child's verified SSN.
  - v. If, upon expiration of the provided time period, the tenant fails to disclose and provide verification of the SSN, the tenant and the tenant's household are subject to termination of tenancy.
- iii. The applicant Head of Household must be of legal contract age (18 years of age or older.)
- iv. **STUDENT STATUS REQUIREMENTS UNDER TAX CREDIT (SECTION 42)**

Under the Tax Credit program requirements, an Applicant's/Resident's eligibility will be passed on the following criteria when and if their student status is a factor of evaluation:

- a. As Student's status must be verified by the educational institution.
- b. Households consisting entirely of full-time students are not eligible for the tax credit program unless one or more of the following exceptions applies to the household and the household is income eligible.
  - 1. All members of the household are married and entitled to file a joint tax return.
  - 2. The household consists of a single parent(s) and their minor child (children), and such parents are not dependants of another individual and such children are not dependants of another individual other than a parent of such children and no one in the household is a dependant of a third party.
  - 3. At least one member of the household receives assistance under Title IV of the social Security Act (i.e. AFDC or TANF)
  - 4. At least one member of the household is participating in an officially sanctioned job-training program.
  - 5. A student who was previously under foster care by placement responsibility of the state agency responsible for administering a plan under part B or part E of Title IV of the Social Security Act.

For any student under the age of 24 who is seeking housing WITHOUT his/her parent, financial assistance excess of amounts received for tuition under the Higher Education Act of 1965, from private sources, or from an institution of higher education shall be considered income to that individual, except for persons over the age of 23 with dependent children. However, for any student residing WITH his or her parents, scholarships, grants, fellowships, educational entitlement, or any other student financial assistance paid directly to a full-time student or directly to an institution, no matter how the assistance is used, is excluded from income.

v. **STUDENT STATUS REQUIREMENTS UNDER SECTION 8**

*Exemption – Students with disabilities that were receiving Section 8 (subsidy) assistance as of November 30, 2005 are exempt from the Student Status requirements under Section 8. However, Students with disabilities receiving assistance as of December 1, 2005 are subject to the following Student Status requirements under the Section 8 program:*

A determination of a student household member's eligibility for Section 8 assistance will be made at move-in, annual recertification, initial recertification, and at any time an interim recertification is processed.

Assistance will not be provided to households that contain individuals that do not meet HUD's exemptions under the Student Rule. Applicant households containing ineligible students are not eligible for Section 8 assistance.

Moreover, non-citizen students and their non-citizen families may not receive assistance. Non-citizen students are not eligible for continuation of assistance, prorated assistance, or temporary deferral of termination of assistance. Assistance will not be prorated for an applicant household, containing ineligible student household members. Lastly, assistance will be terminated for existing households containing ineligible student household members.

An Applicant's/Resident's eligibility will be passed on the following criteria when and if their student status is factor of evaluation:

Under the project-based Section 8 program, in order for a student to establish Independence from parents, Owners must use, and the student must meet, one or more of the following criteria:

1. The individual is 24 years of age or older by December 31 or the award year;
2. The individual is an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
3. The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in residence;



4. The individual is a veteran of the Armed Forces of the United States or is currently serving on active duty in the Armed Forces for other than training purposes;
5. The individual is a graduate or professional student;
6. The individual is a married individual;
7. The individual has legal dependents other than a spouse;
8. The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth or a unaccompanied, at risk of homelessness, and self-supported by:
  - a. A local educational agency homeless liaison;
  - b. The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
  - c. The director of a program funded under subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or the designee of the director;
  - d. A financial aid coordinator.
9. The individual is a student whom a financial aid administrator makes a documented determination of independence by reason other unusual circumstance.

**Section 8 assistance will not be provided to any individual who:**

1. Enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965);
2. Is under 24 years of age;
3. Is not a veteran;
4. Is unmarried;
5. Does not have a dependent child;
6. Is not a person with disabilities, as such term is defined in the United States Housing Act of 1937, and was not receiving Section 8 assistance as of November 30, 2005.
7. Is not otherwise individually eligible, or has parents who individually or jointly, are not eligible, to receive assistance under Section 8 of the United States Housing Act of 1937.

***Exemption: Students who reside with their parents/guardian as a***



*dependent in a Section 8 assisted unit or who are applying for Section 8 assistance are exempt from this student rule.*

Financial assistance a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance. *Note: HUD has adopted the Department of Education's definition of tuition which includes certain mandatory fees such as lab fees or other fees associated with the pursuit of a particular degree or certification.*

*Financial assistance that is provided by persons not living in the unit is not part of annual income if the student meets the Department of Education's definition of "vulnerable youth".*

- vi. At move-in, the amount the family would be required to pay using the applicable HUD rent formula must be less than the gross rent for the unit. Therefore, if a household's Total Tenant Payment (TTP) exceeds the gross rent, the family may not be considered an eligible family even if their Annual Income is at or below the applicable income limit.
- vii. All household members, who are at least 18 years of age and each family head, spouse "or co-head", regardless of age, must sign and date the *Notice and Consent for the Release of Information*, Form HUD-9887 and the *Applicant's/Tenant's Consent to the Release of Information*, Form HUD-9887-A, at the time of initial certification and at each annual recertification thereafter. In addition, when new adult members join the household and when members of the household become 18 years of age, they must also sign these and all other relevant consent forms. Failure to sign these or any required consent form may result in the denial of assistance or the termination of assisted housing benefits. If an applicant is denied assistance for this reason, the notification procedures mandated by HUD will be followed. If a resident is denied assistance for this reason, the procedures set out in the Lease Agreement will be followed which requires the resident to pay the higher, HUD-approved Market Rent for the unit for failure to provide recertification information.
- viii. The applicant must be willing to pay the rent calculated according to the Department of Housing and Urban Development (HUD) rules. A minimum Total Tenant Payment of Twenty-five Dollars (\$25.00) per month must be charged according to Federal law, except as stated below.
  - 1. Management will consider hardship exceptions to the minimum rent requirement.
  - 2. Short-term hardships (90 days or less) will have the minimum rent payment deferred for 90 days, after which time, the household will be required to sign a reasonable repayment agreement to repay the

deferred minimum rent payments.

3. Long-term hardships (91 days and longer) will have the minimum rent requirement waived until such time as the hardship no longer exists. No repayment will be required.
4. Hardships are as follows and **MUST BE VERIFIED**, in writing:
  - a. The household has lost eligibility for a federal, state or local assistance program;
  - b. The household has applied for a federal, state or local assistance program and is waiting for a determination by program officials as to its eligibility for assistance;
  - c. The household would face eviction if forced to pay minimum rent;
  - d. The household income has decreased; or
  - e. There has been a death in the household.
  - f. Other applicable situations, as determined by HUD, have occurred.
5. When a tenant requests a financial hardship exemption, management must waive the minimum \$25 rent charge beginning the month immediately following the tenant's request and implement the TTP calculated at the higher of 30% of adjusted monthly income or 10% of gross monthly income (or welfare rent). The TTP will not drop to zero unless those calculations all result in zero.
6. Management will request reasonable documentation of the hardship in order to determine whether there is a hardship and whether it is temporary or long term in nature. Management will make a determination within one week of receiving the documentation.
7. Management may not evict the tenant during the period of determination and during the 90-day suspension period, if applicable.
8. If Management determines the hardship to be long-term, the tenant will be required to recertify every 90-days.
9. The unit must be the applicant's **ONLY** residence.
10. The applicant must not currently be receiving assistance on another unit within this community.

## **V. INCOME LIMITS/ECONOMIC MIX REQUIREMENTS**

*Note: The following income limits vary by family size.*

### **A. Tax Credit Income Limits**

- i. 20% of the units at 50% of the area median income limit – see applicable



limits posted in the rental office.

- ii. 80% of the units at 60% of the area median income limit– see applicable limits posted in the rental office.

#### **B. Section 8 Income Limits (Post-Universe)**

- i. Very-Low Income – see applicable limits posted in the rental office.
- ii. Extremely-Low Income – see applicable income and poverty limits posted in the rental office.

#### **C. Section 8 Program Income-Targeting Requirements**

- i. When a Section 8 unit becomes available management will make at least forty percent (40%) of the assisted units that become available in the property's fiscal year, available to households whose income does not exceed the higher of thirty percent (30%) of the area median income ("extremely-low income") or the Federal Poverty Level at the time of admission. This will be accomplished by the following method:
  - 1. Alternate between the first extremely-low income applicant on the waiting list and the applicant at the top of the waiting list in groups of 10. In chronological order, management will admit the first four (4) extremely-low income families from the waiting list and then admit the next six (6) families from the top of the waiting list, regardless of income. After filling the first 10 available units, management will again admit the first four (4) extremely-low income families on the waiting list and then the next six (6) families currently at the top of the waiting list.
  - 2. For purposes of meeting this program requirement, move-ins and initial admissions will be included in meeting the extremely low rule.
- ii. Following income targeting limitations also continue to apply
  - 1. For properties with HAP contracts effective **on or after October 1, 1981**, all of the turnover units in any year must be rented to households with incomes equal to or less than the very-low income limit (50% of the area median income), unless HUD has approved an exception to admit families whose incomes are above the very-low income limit. (Very-low income applicants will be alternated with Extremely-low income applicants as indicated in a. above.)

### **VI. PROCEDURES FOR NOTIFYING APPLICANTS OF A CHANGE IN RESIDENT SELECTION**

#### **A. Changes in Resident Selection**

- i. As changes are made to the Resident Selection Criteria (RSC), RSC



Update letter will be forwarded to all active applicants advising them of the change that may affect their eligibility for occupancy within 10 business days of change.

- ii. All applicants are required to meet the eligibility criteria requirements as outlined here within.

## **VII. PROCEDURES FOR ACCEPTING APPLICATIONS AND SELECTING FROM THE WAITING LIST**

### **A. Application - Intake**

- i. Applications will be accepted in person, by U.S. mail or facsimile during regular business hours at the Management Office.
- ii. Applications will be accepted for all unit types until such time as the waiting list(s) are one (1) year or longer and are closed in accordance with the Affirmative Fair Housing Marketing Plan (AFHMP).
- iii. Applications will be provided and accepted via mail as a reasonable accommodation for persons with disabilities who as a result of their disability cannot visit the community in person to complete the application.
- iv. Applications will be provided and accepted via mail for those applicants requesting mailing service due to living outside the immediate area, or out of state.
- v. There are no fees or deposits required as a condition of the application process.
- vi. Each application will be date and time stamped upon receipt.
- vii. If an appropriate size unit is not available at initial application, the applicant will be placed on the Master Applicant Waiting List. A letter will be sent to the applicant notifying them that they have been placed on the waiting list. The letter will also advise the applicant of their responsibilities in order to remain on the waiting list in an active status.
- viii. Verification of application will take place at such time as the applicant's name has reached the top or near top of the waiting list, and an appropriate size unit is expected to become available.
- ix. A copy of this Resident Selection Criteria will be provided to the applicant at the time the application is made.

### **i. Waiting List Procedures**

- i. There will be one master waiting list for the property; however, additional sub-lists may be maintained, such as Barrier-Free, In-House Transfers, etc. When an apartment becomes available, and there are not eligible internal



transfers pending (when a thirty day notice has been submitted), the applicant at the top of the waiting list will be contacted (or another appropriate applicant as per the income targeting requirements outlined in Section II B). Management will attempt to make contact with the applicant by telephone at least three (3) times during the next 48-hour period. If contact cannot be made by telephone, a letter (Unable to Contact) will be sent through the U.S. Mail by certificate of mailing process requesting a date and time for an interview. If there is no response to the letter within fourteen (14) business days from the date of the letter, the applicant will forfeit the opportunity to apply for the available unit, and will be coded inactive on the applicant wait list. Should the applicant contact management anytime within 90 days from the date their application was coded inactive, and can provide an acceptable reason for not responding to the Unable to Contact (UTC) letter due to extenuating circumstances, their application will be reinstated once the applicant completes and management receives the executed Application Update Questionnaire.

- ii. Upon completion of the interview process and the applicant meets all selection criteria requirements, an applicant will be offered a unit for their appropriate family composition/size for immediate occupancy. In the event the applicant refuses to accept the unit, and wishes to remain on the waiting list for the next available unit; the applicant will be provided a second and third opportunity to accept a unit for immediate occupancy. Until such time occurs the applicant's application will remain at the top of the waiting list for a unit that meets their appropriate unit size. Should the applicant refuse to occupy the third (3<sup>rd</sup>) unit offered, the applicant's application will be removed from the waiting list; at which time Management will send a letter via U.S. Mail informing the applicant that due to their failure to accept the three (3) vacant units offered, their application has been removed from the waiting list. The applicant may re-apply by submitting a rental application to the rental office; at which time their new application will be placed at the bottom of the waiting list.
- iii. If the contacted person refuses an available unit, he/she will remain at the top of the applicable waiting list, however, a letter will be immediately within 48 hours) sent informing him/her that after the third refusal his/her name will be removed from the waiting list and placed in the inactive file.
- iv. When an interview is set up, but the applicant fails to show for the scheduled interview and does not contact management within 24 hours of the appointment, management will forward an Interview Decline letter, informing the applicant that their application is still active on the waiting list, and that management will attempt to contact them at a later date to schedule an interview.

In the event management is required to forward an Interview Decline Final Notice letter, again the applicant will be informed that their application is still active on the waiting list, and that management will provide the applicant a final opportunity to attend an interview to determine their eligibility.

The applicant's failure to attend a third scheduled interview to evaluate their eligibility for occupancy will result in management forwarding a Notification of Removal from the waiting lists. As a result, the applicant's application will be coded as inactive on the waiting list, and the application file will be placed in the inactive files. The applicant may re-apply by submitting a rental application to the rental office; at which time their new application will be placed at the bottom of the waiting list.

- v. Changes in family size and characteristics may result in the applicant being moved to the appropriate unit size waiting list. They will assume a position of the new list based upon the date and time of their initial application. The decision to move an applicant to a more suitable waiting list is based on the applicant household's size, and the applicant's unit size request.
- vi. Although it is the responsibility of the applicant to notify management of any changes in phone numbers, addresses, and household composition, management will conduct periodic waiting lists updates either annually, bi-annually, or quarterly depending on occupancy and vacancy trends.

Those applicants failing to respond within fourteen (14) days from the date of notification will be removed from the waiting list and placed in an inactive waiting list file. Should the applicant contact management anytime within ninety (90) days from the date their application was coded inactive, and can provide an acceptable reason due to extenuating circumstances, for not responding to the notification, their application will be reinstated at their original place once the applicant completes and management receives an executed Application Update Questionnaire and/or other requested information.

- vii. Applicants coded inactive on the waiting list as a result of not responding to an update request because of a disability, will be reinstated at the original place on the wait list, and provided an accommodation to assist them with meeting the application process for determining eligibility.
- viii. An applicant may be on more than one unit type waiting list if they qualify for more than one unit type. The date of initial application will determine their place on the list.
- ix. Each applicant will be notified promptly of the disposition of his/her application. If an applicant is placed on the waiting list, the applicant will be sent a letter notifying him/her that their application has been added to the applicant wait list, and that further review of their income, assets, and expenses will be evaluated at the time of their eligibility interview. However, in the meantime their application will remain on the waiting list until such time their application reached the top of the applicant waiting list, and as an appropriate unit becomes available.

### **C. Opening and Closing the Waiting List**

- i. The waiting list will be closed for one or more unit sizes when the average

wait is one year or more.

- ii. Management will advise potential applicants that the waiting list is closed and refuse to take additional applications.
- iii. When Management closes the waiting list, a notice will be published in a publication/publications likely to be read by potential applicants. This is in addition to publications named in the property's Affirmative Fair Housing Marketing Plan (AFHMP). Contact listed in the AFHMP will also be notified of the closure of the waiting list.
- iv. When Management agrees to accept applications again, the notice of action will be announced in a publication likely to be read by potential applicants in the same manner as the notification that the waiting list was closed.
- v. Notice of the opening of the waiting list will include the rules for applying, the order in which applications will be processed, where and when to apply.

#### **D. Screening Criteria**

##### **I. Live-in Aide Attendants**

For the purpose of maintaining a criminal free housing community, Management will conduct criminal background screening(s) at time of application and annually thereafter, as long as they remain the Live-In Attendant *(including, but not limited to, drug and state lifetime sex offender registration)* by applying the same criteria established for screening other applicants. The criminal background screening process of a Live-in Aide Attendant, in no way constitutes eligibility for assistance or admission as a participant in the federal Section 8 program. In addition, any individual requesting to be added as a Live-In Aide Attendant must provide management with a valid Social Security Card and will be screened through the EIV Existing Tenant Search.

A Live-in Aide Attendant's right to occupy the Resident's unit is entirely dependent upon the Attendant providing care to the Resident. If the Resident ceases to reside in the unit for any reason, including, but not limited to the following, the Attendant must vacate the unit immediately without further notice:

- i. The Resident is absent from the unit for more than fifteen (15) consecutive days and the Resident has not requested and received written consent by management for the Attendant to continue to reside in the unit for a specific period of time, due to a medical necessity involving a required stay in a hospital or other medical facility. Should the Resident return, the Attendant will be allowed to resume occupancy for purposes of caring for the Resident.
- ii. The Resident vacates the unit, surrenders, or abandons the unit.
- iii. The Resident becomes deceased.

## II. Applicant Households

A criminal background check will be conducted on all adult members of the applicant family (18 years of age and older). A criminal background check *(includes but not limited to drug, and sex offender screening)* will be conducted on adult household members who are under application to be added to the existing household. (The results of this check will be the basis for rejection if any of the following is found:

- i. Any household containing a member(s) who was evicted in the last three (3) years from federally assisted housing for drug-related criminal activity. There are two exceptions to this provision:
  1. The evicted household member has successfully completed an approved, supervised drug rehabilitation program; or
  2. The circumstances leading to the eviction no longer exists (e.g., the household member no longer resides with the applicant household).
- ii. Management will reject the application if any person listed on the application is currently or has **ever** been determined guilty of a violent crime by due process of law; or if there is clear documentation to support a pattern of criminal activity. These crimes may include, but are not limited to the following:
  1. Conviction of the applicant or member of the applicant's family of a felony in any state or federal court;
  2. Conviction of the applicant or member of the applicant's family of a misdemeanor involving violence;
  3. Conviction of the applicant or member of the applicant's family for possession, usage or distribution of a controlled illegal substance;
  4. Conviction of the applicant or member of the applicant's family for possession of an unregistered firearm or possession of an illegal weapon that can cause physical harm or emotional suffering by intimidation;
  5. Records of fraudulent misrepresentations, disturbance of neighbors, destruction of property or other disruptive or dangerous behavior which damages the equipment or premises in which the family resides or resided or which is or was disturbing or dangerous to neighbors or disrupts sound family and community life. These actions include but are not limited to behavior or conduct including threats, which adversely affect the safety or welfare of other persons including on-site staff personnel; by physical violence; gross negligence; irresponsibility or discharging of a firearm, legal or illegal; or brandishing a knife or other weapon.
  6. Irresponsible community behavior, which causes irreparable damage to the reputation of the apartment community.
  7. Intimidation or threats of physical harm to management or maintenance personnel.
- iii. An application will be rejected if any person listed on the application is

currently or has **ever** been determined guilty of a violent crime by due process of law; or if there is clear documentation to support a pattern of criminal activity.. These crimes may include, but are not limited to the following:

1. The head of household or a member of the household did commit a drug-related criminal activity that did threaten the health, safety or right to peaceful enjoyment of the premises by the other residents or management agents, contractors, subcontractors or owners.
  2. The head of household or a member of the household did commit a violent criminal activity that did threaten the health, safety or right to peaceful enjoyment of the premises by the other residents or management agents, contractors, subcontractors or owners.
  3. The head of household or a member of the household did commit other criminal activity that did threaten the health, safety or right to peaceful enjoyment of the premises by the other residents or management agents, contractors, subcontractors or owners.
  4. A member of the household did commit, or was convicted of a felony.
  5. The head of household or a member of the household was evicted from federally assisted housing for drug-related criminal activity within the last three (3) years. (Also see Section E i. above.)
  6. The head of household or members of the household engages in the use of an illegal drug or drugs, and/or there is a pattern of an illegal use of a drug or drugs that interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.
  7. The head of household or member of the household, gives reasonable cause to believe there is a pattern of abuse of alcohol that interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.
  8. The head of household or member of the household, committed a sexual offense or is a sexual offender that requires lifetime registration under a State registration program.
- iv. This community is committed to Drug-Free Housing. The Lease Agreement prohibits criminal activity, including drug-related criminal activity on or near the premises. Violations of this Lease provision will be considered cause for termination of tenancy.
- v. Knowledge gained after move-in of any criminal activity resulting in arrest or conviction of a household member for any of the above stated activities, may result in termination of the Lease Agreement.

Moreover, Management has adopted a policy of conducting criminal background checks and state lifetime sex offender registration at Annual Recertification for all current residents. If a criminal background check conducted at annual recertification reveals that a resident is in violation of the provisions of their lease for criminal activity, Management will evict the resident household in accordance with the lease and Management's standards for terminating tenancy as found in this Resident Selection Criteria. The household will be provided notification of this proposed action based upon the information outlined in the criminal report and a copy of the information used in the determination. The resident will have fourteen (14) days to dispute the accuracy and relevance of the information provided by any law enforcement agency reporting the criminal activity.

- vi. References will be obtained from present and past Landlords. An applicant may be rejected if these reports document failure to make payments or shows evidence that the applicant, applicant's family and/or guests of the applicant disturbed the safety, security and/or right to peaceful enjoyment of the premises by other residents. The applicant will be rejected if the Landlord states poor housekeeping habits posing a threat to the health, safety and welfare of the household members or other residents of the community, legal proceedings against the applicant or household members and/or eviction. Verifiable rental history will include a completed verification form signed by the current and/or prior Landlord. Those applicants whose history shows repeated late rental payments over the past two (2) year, as verified by landlords or court records, those applicants may be rejected on the basis of poor rental practices. Unless the applicant can provide a verifiable explanation as to the reason they repeatedly paid their rent late, their application will no longer be considered for housing. The application will be declined in this instance. Lack of Landlord references alone will not be reason for rejection of the application.
- vii. All household members regardless of age will be screened thru the Enterprise Income Verification (EIV) System's Existing Tenant Search. EIV queries both Multifamily Housing and Public Indian Housing locations to determine if any member is currently receiving rental assistance. If the applicant is determined to be residing at another subsidized property, management will discuss this with the applicant, giving the applicant an opportunity to explain any circumstances relative to his/her being assisted at another location. Management will also follow-up with the respective Public Housing Authority or Owner/Agent to confirm the individual's program participation status before admission. If applicant meets all required eligibility requirements, management will coordinate move-out and move-in dates with the owner/agent of the property at the other assisted property.
- viii. A credit check will be obtained for each adult member of the applicant's family who is eighteen (18) years of age or older without charge to the applicant.

**La Vista** utilizes the service of RealPage to obtain credit and information profiles. The scoring system used by RealPage evaluates each applicant's consumer credit report and other publicly reported information. RealPage's score is based on real data and statistics, so it treats all applicants objectively. Each applicant's consumer credit report contains information about them as an individual, and their credit experiences, such as bill-payment history, the number and type of open accounts, late payments, collection actions, outstanding debt, and the age of the open accounts. Other publicly reported information may include civil and criminal court records. Based upon a combined score for all adult applicants within a household, the applicant will be accepted, accepted conditionally or rejected.

If an applicant's application is rejected, an adverse action letter will be provided outlining the name, address and telephone numbers of the credit reporting agencies that provided the consumer information.

RealPage obtains information from the credit reporting agencies: Equifax, Experian, Trans Union and Telecheck.

Management is limited to informing the applicant that their application and eligibility has been rejected based on confidential information received from the credit reporting agencies. Management is, of course, agreeable to reappraising a credit and information report forwarded to Management by the credit-reporting agency on behalf of the applicant, which encompasses certain corrections and/or additions made in that report as a result of action taken directly by the applicant with the credit agency, court and/or creditor.

Moreover, applicants will be given the opportunity to clear alleged, erroneous civil or criminal records reported from courts or debts reported by creditors from their credit history that would be cause to reject their application. If an applicant has met with Management regarding the appeal of the unfavorable RealPage score within the allowed 14 days of rejection, the applicant will be granted sixty (60) days to appeal Management's decision or rejection. (Note: a unit will not be held vacant during the appeal process).

Applicants will be required to provide acceptable proof through a reliable third party source (i.e. the court) in writing on the company or agency's letterhead stationery that the information is inaccurate or incomplete. In certain cases, court documentation may be required showing that the debt(s) have been cleared/resolved, and no further delinquency exist.

The application and eligibility are, however, considered rejected until updated information and/or documents of proof of payment is received. If the updated information and/or documents of proof of payment are acceptable to Management to resolve inaccuracies (e.g. clear the debt(s)), the applicant's application will be reinstated to their original



position on the waiting list.

- ix. Written verification of income, assets, expenses, and all eligibility requirements will be required from third parties for all applicants. All documentation must be current (within 120 days of move-in). Management will require the household to sign new consent release forms so that such documentation may be updated. If the household fails to sign the requested consent release forms, the application will be declined. If Management does not receive the updated documentation, move-in will be postponed until such documentation is received, and the next qualified applicant will be processed for the available unit.
- x. Applicant's ability and willingness to pay rent in a timely manner will be determined by reviewing their income, current and previous rent-paying history as determined from their current and previous landlords, general attitude toward financial obligations as determined from the credit reports and the understanding and appreciation of the importance of rent payment as determined during the interview process.
- xi. Applicant's ability and willingness to care for the unit will be determined through current and previous landlords. This will include any damages to the applicant's current or previous units as verified by the landlord(s) beyond normal wear and tear.
- xii. Applicant's ability and willingness to abide by the Lease Agreement will be determined through current and previous landlords, government or social agencies, police records and, in some cases, through the credit report. This criteria covers such important areas as permitting unauthorized persons to live in the unit, creating physical hazards (i.e., storing gasoline in the unit, shooting a gun on the property, etc.), interfering with the rights and quiet enjoyment of other residents (threatening or attacking neighbors, vandalism, stealing, drug activity, police activity, spousal or family member abuse, etc.), and providing false information in the course of the application process.

#### **E. Procedures for Rejecting Ineligible Applicants**

- i. Reasons for Rejection
  - 1. Applicants will be rejected if they fail to meet any Department of Housing and Urban Development (HUD) eligibility requirements with regard to income limits, family/household definition and family/household composition.
  - 2. History of violence as evidenced by previous landlords' verification(s), record of violence, historical pattern of violence, and/or a recent record of conviction;
  - 3. Applicants who cannot pay the deposit at move-in will be denied occupancy.



4. Poor housekeeping as evidenced by previous landlords' verification(s);
5. History of drug or alcohol abuse as evidenced by previous landlords' verification(s), record of drug or alcohol abuse, historical pattern of drug or alcohol abuse, and/or recent record of conviction, and no current rehabilitative services;
6. Refusal to occupy apartment without pets (if property has a No Pet Policy);
7. History of rent arrears or poor rental background as evidenced by previous landlords' verification(s) and/or the credit report;
8. Unfavorable credit score;
9. Refusal to occupy proper unit in accordance with HUD/Management unit size standards;
10. Refusal to pay rent calculated using HUD's rules;
11. Refusal to complete the Section 214 Review Declaration Form for every member of the household;
12. Refusal to sign any required verification form for the release of information required to provide eligibility and/or rent calculation;
13. Refusal to sign HUD Forms 9887 and 9887-A, Consent for Release of Information, as required by HUD;
14. This community will not be the applicant's only place of residence;
15. History of property damage to apartment/townhouse/house or common areas as evidenced by previous landlords' verification(s) and/or credit report;
16. History of lease violations as evidenced by previous landlords' verification(s);
17. History of violence against family member(s), neighbors, and interference with management's duties and responsibilities as evidenced by previous landlords' verification(s), government or social agencies verification(s), and/or police reports;
18. A conviction of the applicant or member of the applicant's family of a felony involving the use of weapons, drugs or violence against other persons in any State or Federal Court;
19. A conviction of the applicant or member of the applicant's family of a misdemeanor involving violence;

20. A conviction of the applicant or member of the applicant's family for possession, usage, or distribution of a controlled illegal substance;
  21. A conviction of the applicant or member of the applicant's family for possession of an unregistered firearm or possession of an illegal weapon;
  22. Records of fraudulent misrepresentation, disturbance of neighbors, destruction of property or other disruptive or dangerous behavior which damages the equipment or premises in which the family resides or resided or which is or was disturbing or dangerous to neighbors or disrupts sound family and community life. These actions include but are not limited to behavior or conduct including threats, which adversely effects the safety or welfare of other persons including on-site staff personnel; by physical violence; gross negligence; irresponsibility or discharging of a firearm, legal or illegal; or brandishing a knife or other weapon;
  23. If a household fails to move into the rent-ready unit on the agreed upon date, the application can be rejected and the unit will be offered to the next qualified applicant; or
  24. If any member of the household has committed any fraud in connection with any Federal Housing Assistance Program or been evicted from Federal Housing for drug-related criminal activity within the last three (3) years.
- ii. "In accordance with the Violence Against Women Act (VAWA) management will afford the applicant an opportunity to dispute a denial of their application due to circumstances involving domestic, dating, stalking violence and/or sexual assault. The applicant is required to certify that the incident or incidents are bona fide incidents of abuse and/or provide alternative documentation such as:
- (1) A federal, state, tribal, territorial, or local police or court record; or
  - (2) Documentation signed by an employee, agent or volunteer of a victim service provider, an attorney or medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of abuse, in which the professional attests under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident(s) in question are bona fide incidents of abuse, and the victim has signed or attested to the documentation.

Management will provide the applicant with a VAWA certification form (HUD-5382). The applicant is required to return the completed certification form and/or provide alternative documentation as outlined above within 14 business days. Failure to provide certification and/or alternative documentation within 14 business days to support the applicant's status as a victim will prevent management from affording the applicant protections under the VAWA.

In order to protect the privacy of the applicant and not to jeopardize the safety of the applicant or other household members, management will take the necessary



precautions in forwarding correspondence to the applicant relating to the domestic, dating, and/or stalking violence. All correspondence will be provided to the applicant during an in person meeting at the community to which they have applied, or forwarded via mail to an address provided by the applicant.

### iii. Rejection Notices

The following Rejection Notice process will be followed:

1. The applicant will be notified in writing of Management's decision to reject their application for occupancy within seven (7) days of the determination being made. The notice will outline the reason(s) for rejection, and will advise the applicant that they have fourteen (14) days in which to contact Management for an appointment to appeal the rejection. ***Persons with disabilities may request for a reasonable accommodation in order to participate in the informal hearing process.***
2. The meeting with Management will be held with an appointed Management Agent Representative.

Includes but not limited to one of the following:

- Community Manager (CM), if the CM was not party to the original decision to deny occupancy.
- Regional Compliance Auditor
- Regional Property Manager or Director of Operations

Meeting with Management regarding the rejection in no way implies that the rejection will be overturned.

3. If the applicant appeals the decision and a meeting is held, a written notice of Management's decision to reverse the decision of rejection, or stand by the decision of rejection will be sent to the applicant within five (5) days of the meeting.
4. If the applicant appeals the decision as a result of the meeting held with an authorized Management Agent Representative, one of the following representative will review the case file, and provide the applicant with a final decision in writing within five (5) days of their review:
  - Regional Compliance Auditor
  - Regional Property Manager or Director of Operations
  - Regional Vice President

Applicants rejected as a result of not responding to update requests, and/or request for participation in the eligibility review process because of a disability, will be reinstated at the original place on the wait list, and provided an accommodation to assist them with meeting the application process for determining eligibility.

**Applicants will not be rejected on the basis of race, color, creed, religion, sex, marital status, actual or perceived sexual orientation, gender identity, national origin, ancestry, age, elderliness (persons over age 55), handicap or disability of any person, familial status, the use of a guide or support animal because of the physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is known to have a relationship or association.**

## **VIII. OCCUPANCY STANDARDS**

The unit size will be selected based on household composition and size as follows.

***Note:** Management may modify the general Occupancy Standards listed below, in the event a household requires a smaller or larger unit due a household member's verified disability, and need for Reasonable Accommodation.*

- 1 – 2 persons: 1 Bedroom;
- 2 – 4 persons: 2 Bedrooms;
- 3 – 6 persons: 3 Bedrooms

Applicants who qualify for two (2) different sized units (i.e., two (2) persons qualify for both a one-bedroom and a two-bedroom unit), and choose to move into the smaller unit will not qualify for a transfer to the larger size unit for three (3) years from their date of move-in on the property if their family size remains the same. At the end of the three (3) years, the family can request and be placed on the Transfer Waiting List for the next sized unit.

## **IX. TRANSFER POLICY/PROCEDURE**

### **A. Transfer Policy**

#### **i. Resident Requested Transfers**

In the event of a vacancy, Resident Request Transfers will be provided on an alternating basis between selecting applicants from the Internal Transfer Waiting list and the Applicant Wait List in date order of request; for every one internal transfer, one Applicant move-in will be processed to ensure equal housing opportunities.

Resident victims of domestic, dating, stalking violence and/or sexual assault and residents requesting Reasonable Accommodation transfer requests will be provided priority over applicant move-ins and processed in the order requested.

In the event there are no eligible internal transfer requests pending, applicants from the Applicant Wait List will be processed for move-in based on their ability to meet the eligibility requirements and occupancy standards.

If a resident's rent is not current at the time a unit becomes available, the next



eligible transfer request will be granted an opportunity to transfer. However, in the event the transfer is due to VAWA, medical, or need for reasonable accommodation this policy will be waived.

- ii. Residents approved for transfer will be afforded three opportunities to accept an available vacant unit. The resident's request for transfer will remain in the current position on the transfer waiting list after each offer, unless a third offer is declined, at which time the resident's transfer application request will be removed from the Transfer Wait list.

For the first two offers declined, the resident will be sent a transfer unit decline letter listing the units declined. Upon the 3<sup>rd</sup> offer decline, the resident will be sent a transfer unit decline letter listing all three units declined, and notification that their request for transfer has been removed from the Transfer Wait list.

*Note: VAWA, Reasonable Accommodation, and management Over/Under utilization transfer are not subject to this requirement.*

- iii. HUD Required Transfers

In-house transfers for the following circumstances will be housed before applicants on the Waiting List:

- a. VAWA Emergency Transfer,
- b. Reasonable accommodations,
- c. Over or under crowded units

The order of priority for Resident Requested Transfers will be as follows:

- a. VAWA Emergency Transfer - Priority 1
  - Victims of domestic, dating, sexual assault and/or stalking violence are to complete a "Certification of Domestic Violence, Dating Violence or Stalking Violence", and/or provide alternative documentation in accordance with the VAWA.
- b. Reasonable Accommodation Request – Priority 2
  - Medical Reason – includes need for accessible unit if such unit type is available. See additional information under HUD Required Transfer.
- c. Change in family Size/Composition – Priority 3

The Department of Housing and Urban Development (HUD) requires residents to transfer to a larger or smaller unit because of family size/family composition and requires Owners to make reasonable accommodations due to medical needs (so long as those reasonable accommodations do not cause an undue financial and administrative hardship on the property).



Over-Utilization of Existing Unit: More persons currently living in the unit than the number of persons allowed under our Occupancy Standards.

Under-Utilization of Existing Unit: Fewer persons currently living in the unit than the number of persons allowed under our Occupancy Standards.

Reasonable Accommodations: Required due to medical circumstances to enable the resident equal opportunity to use and enjoy their dwelling unit.

If reasonable accommodations are requested, the accommodations requested must be verified in writing by a doctor, hospital, and clinic or care provider that the reasonable accommodation is essential due to medical condition(s).

Management will be responsible for cost associated with the transfer, unless doing so would be an undue financial and administrative burden.

In-house transfers for over or under crowded unit size or due to extending reasonable accommodations for current resident households will be housed before applicants on the Waiting List.

In-house transfers for over or under crowded unit size or due to extending reasonable accommodations for current resident households will be housed before applicants on the Waiting List.

A resident's refusal to transfer due to HUD requirements in accordance with their lease will result in termination of subsidy and the resident **WILL BE REQUIRED** to pay the current HUD approved market rent for the unit they currently occupy for failure to comply.

## B. Transfer Procedure

- i. Resident must complete a Transfer Request form. In the event the resident is not able to complete the Transfer Request form due to disability and/or a language barrier, Management will complete the request on their behalf; however, the resident will be required to sign and date the request. The original will be maintained in the resident's file and the resident will be given a copy for their personal records.
- ii. VAWA Emergency and VAWA Transfer victims must complete HUD Form 5382. All documentation regarding VAWA Transfer will be maintained in a separate file and will be maintained in confidence.
- iii. In the event of a request for a reasonable accommodation unit transfer, the request will be evaluated in accordance with AIMCO's Reasonable Accommodation policy and procedure. See Section X below regarding Section 504/Reasonable Accommodations.
- iv. The resident must be in good standing and have no balances due on their account.

**Note:** VAWA, Reasonable Accommodation, and management Over/Under utilization transfer are not subject to this requirement



- v. When the transfer request is received, the Community Manager must complete a unit inspection of the resident's current unit. The results of this inspection must be satisfactory (no resident-related damages; maintained in a safe and sanitary condition).

- B. If the inspection is unsatisfactory due to misuse of the unit, the request for transfer will be denied until the unit status is brought up to a satisfactory condition.

**Note:** VAWA, Reasonable Accommodation, and management Over/Under utilization transfer are not subject to this requirement.

- C. Copies of the unit inspection report and notice of unit inspection letter must be maintained in the resident's file.

- vi. When the transfer takes place:

- a. A move-out inspection will be conducted.
  - b. The security deposit on the previous unit will be transferred to the new unit. The resident will be responsible for any damage charges incurred on the previous unit.

- vii. On the scheduled date of the transfer, the Community Manager will perform a move-in unit inspection with the resident. A signed copy of the unit inspection report will be maintained in the resident's file and a copy will be given to the resident for their personal files.

## **X. SECTION 504/FAIR HOUSING/CIVIL RIGHTS**

- A. **La Vista** is an Equal Housing Opportunity Community. As such, this Community adheres to all federal Fair Housing and Civil Rights laws, all state and local regulations concerning non-discrimination in housing and with all equal opportunity requirements in HUD administrative procedures.
- B. **La Vista** also adheres to the Fair Housing Act of 1968 concerning non-discrimination in housing.
- C. **La Vista** does not discriminate based on race, color, creed, religion, sex, marital status, actual or perceived sexual orientation, gender identity, national origin, ancestry, age, elderliness (persons over age 55), handicap or disability of any person, familial status, the use of a guide or support animal because of the physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is known to have a relationship or association.
- D. **La Vista** strictly adheres to these anti-discrimination laws and the Owner agrees that this property will be listed, shown, leased and managed in accordance with these laws.



- E. **La Vista** does not discriminate against any particular socio-economic classes (e.g., public assistance recipients, single parent households, etc.) or against individuals who are not members of any sponsoring organization of this Community.

a. These requirements apply to:

1. Accepting and processing applications;
2. Selecting residents from among eligible applicants on the Waiting List;
3. Assigning units;
4. Certifying and recertifying eligibility for assistance; and
5. All other aspects of continued occupancy.

To file a complaint alleging violations with regard to Fair Housing laws or suspected discrimination, contact the Office of Fair Housing and Equal Opportunity at the Office of the Department of Housing and Urban Development (HUD) in **San Francisco, CA** at **(415) 489-6400**.

## **XI. SECTION 504 STATEMENT OF OBJECTIVE/REASONABLE ACCOMMODATIONS**

### **A. Policy**

In accordance with the Fair Housing Act, housing providers are required to provide reasonable accommodations in rules policies, practices and services in order to enable persons with disabilities to have an equal opportunity to use and enjoy a dwelling unit, including the public and common areas.

The Fair Housing Act (Title VIII of the Civil Rights Act of 1968 amended in 1988) applies to every property within the AIMCO portfolio. Under the Fair Housing Act, an individual with a disability is defined as follows:

*“Any person who has a physical or mental impairment that substantially limits one or more life activities; has a record of such an impairment; or is regarded as having such an impairment.”*  
(24CFR 8.3)

Pursuant to HUD Notice 01-02 housing providers (Owner/Agent) are obligated to provide reasonable accommodations to individuals with disabilities. However, if providing such an accommodation would result in a financial and administrative burden, the housing provider is required to take any other action that would not result in an undue burden.

Section 504 defines an individual with a disability to include persons with a physical or mental impairment that substantially limits one or more major life activities. The term “physical or mental impairment” may include, but is not limited to, conditions such as visual or hearing impairment, mobility impairment, HIV infection, mental retardation, drug addiction (except for current illegal use of or addiction to drugs), or mental illness.



The term “major life activity” is defined as a function such as caring for one’s self, performing manual tasks, such as walking, seeing, hearing, speaking, breathing, learning, and working.

A reasonable accommodation is a change, adaptation or modification to a policy, program, service, building, dwelling unit or workplace which will allow a qualified person with a disability to participate fully in a program, take advantage of a service, live in a dwelling, or perform a job.

***Note: Pet policy rules do not apply to service animals as it relates to breed, size, pet rules and pet deposits.***

It is the objective of **La Vista** to operate the housing program so that the program, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. To accomplish this objective, the property will review its policies and procedures, and

- Modify those policies and procedures which impose barriers to full accessibility by individuals with disabilities; and
- Adopt such new policies and procedures as are required to provide full accessibility by individuals with disabilities.

The property will also evaluate its program and activities to determine if any physical barriers to full participation by individuals with disabilities exist, and will identify methods for eliminating the identified barriers by

- Nonstructural changes in the program or activities; and/or
- Structural modifications needed to remove barriers so that the program, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities.

## **B. Procedure**

In selecting among available methods, the following guidelines will be used:

1. Request for fair housing and/or reasonable accommodations are to be provided either in writing or verbally by the Applicant or Resident to the Community Manager at the Rental Office.
2. In an effort to provide the fair housing/reasonable accommodation, all efforts to maintain confidentiality and the Applicant/ Resident’s right to privacy will be maintained to the greatest degree possible.
3. Written requests for accommodations will be logged on a Section 504 Fair Housing & Reasonable Accommodation Tracking Log. The Section 504 Fair Housing & Reasonable Accommodation Tracking Log will be used for tracking request by date, and type of request. The internal Unit Transfer Waiting List will also be used in conjunction with the Section 504 Fair Housing & Reasonable Accommodation Tracking Log for unit transfer accommodation requests.

4. Housing providers are not to make assumptions about the specific needs of an applicant/resident that may have a disability. Applicants/Residents are to be informed of the reasonable accommodation policy, and rely on the applicant/resident to request and initiate the reasonable accommodation process.
5. In the event a third party verification is required from an independent medical professional, Management will request authorization from the Applicant/Resident for disclosure of need for reasonable accommodation. This verification will be mailed/faxed to the attending physician/medical professional.
6. Upon receipt of the completed verification of accommodation via mail/fax from the attending physician, the Applicant/Resident will be notified in writing within a reasonable time not to exceed 30 days as to whether their request for a reasonable accommodation/accommodation modification is approved, denied, or if further verification/investigation is required. In the event further verification/investigation is required, the notification letter will provide the Applicant/Resident with a detailed reason for the need for additional information/investigation.
7. Reasonable Modification to Existing Premises: Housing providers may refuse to provide a requested accommodation if providing the accommodation would constitute an undue financial and administrative burden or fundamental alteration of the provider's housing program. Therefore, should an accommodation for modification request pose a fundamental alteration in the nature of the program or an undue financial and administrative burden, and as a result management denies the request, management may grant the applicant/resident permission to modify the existing premises under the condition that the modification is reasonable, and if applicant/resident agrees to restore the unit to the condition that existed before the modification. In this case, the applicant/resident will enter into a restoration agreement, and may be required to "pay into an interest bearing escrow account, over a reasonable period, the funds necessary to restore the premises to its original condition. The interest in any such account shall accrue to the benefit of the tenant." (24 CFR 100.203)

In accordance with Section 504 of the Rehabilitation Act of 1973, any reasonable modifications requested by a resident that is disabled, could be the financial responsibility of City Line Apts. An analysis will be made to determine if the modification is reasonable and, if the request will provide an undue financial and/or administrative hardship for the community. If so determined, management will seek alternatives to the request and meet with the applicant and/or resident to review and discuss.

8. Priority will be given to accommodations that offer activities and facilities in the most integrated setting appropriate (i.e., so that individuals with disabilities may participate in the program in the manner



which is most similar to the manner in which individuals without disabilities participate).

9. If the accommodation is not considered reasonable and, therefore, denied, the Applicant/Resident may request a review of the decision by submitting an appeal in writing to the Section 504 Coordinator.
10. All request are reviewed and approved or denied by the Section 504 Coordinator or their designee:

**Marjorie Shinn**

Name of Section 504 Coordinator

**Senior Compliance Manager**

Title

11. The appeal will be reviewed by the Section 504 Coordinator, or their designee. This review may include a consultation with the attending physician/medical professional, an independent living center, the Applicant/Resident and the 504 Coordinator or their designee. A final decision will be made and notification sent to the Applicant/Resident within fifteen (15) business days after the review and/or consultation.
12. No action will be taken which would result in a fundamental alteration in the nature of the property's program or activities.
13. No action will be taken which would result in an undue financial and administrative burden.
14. With respect to actions that would result in a fundamental alteration or undue burden, the property will take such similar action, if any, which would ensure that individuals with disabilities receive the program's benefits and services without resulting in a fundamental alteration or undue burden.
15. Priority will be given to accommodations that are requested by individuals with disabilities.

**WARNING: Section 1001 of Title 18 of the US Code makes it a criminal offense to make willful false statements or misrepresentations of any material fact involving the use of or obtaining of Federal funds.**

Revision: 05/2018



**La Vista**  
COMMUNITY NAME

**3838 Clayton Road**  
ADDRESS

**Concord, CA 94521**

**(925) 676-1724**  
PHONE

**(925) 676-3874**  
FAX

**(800)735-2929**  
TTY

**RESIDENT SELECTION CRITERIA – SECTION 8/ TAX CREDIT  
- FAMILY  
(Post-Universe [10/1/1981])**

**WARNING:** Section 1001 of Title 18 of the US Code makes it a criminal offense to make willful false statements or misrepresentations of any material fact involving the use of or obtaining of Federal funds.

I/We, the undersigned, do hereby acknowledge:

1. that the Resident Selection Criteria (RSC) has been explained to me/us by Management and I/we understand and agree to comply with all criteria; and
2. that I/we have received a copy of this executed document for our personal records on the date shown below.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Management Signature

\_\_\_\_\_  
Date

Revision: 05/2018

