

Tenant Selection Plan
For
Desert Willow Apartments
A Non-Profit Corporation

Revision 3
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Document Configuration Manager
Board of Director Secretary

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Document Change History

All changes to this document require a “Document Change History” entry along with a reference to Board of Director minutes approving the change. This process starts as soon as this document provided to the Board of Director Secretary.

Revision 1 dated 1/21/2011

Susan Phipps-Carr of Phipps Carr Consulting in an E-mail dated 1/15/2011 provided this document to the Board of Director Secretary Mr. Lloyd. This document is now part of the DWA corporate library. The document draft status will be removed when the DWA Board of Directors approves the document.

Revision 2 dated 5/13/2011 (Approved by the board on 5/13/2011)

Site manager and project manager are all changed to resident manager for consistency in “House Rules” and “Tenant Selection Plan” documents. Tenants are characterized as mentally ill and poor.

Revision 3 dated 6/14/2011

Spelling errors corrected. Owners were changed to Management on page 7.

DESERT WILLOW APARTMENTS TENANT SELECTION PLAN

PROJECT ELIGIBILITY REQUIREMENTS:

This project operates under the Section 811 Project Rental Assistant Program and is designed to provide housing to non-elderly mentally or mentally ill individuals and families whose income is very low to extremely low. The units of this facility have been architecturally altered for the mobility impaired as defined under HUD Handbook 4350.3, Rev-1 Change 2, paragraph 2-32. The above project is a non-profit, 15 units, 1 story buildings, consisting of 14 one-bedroom units and one 2 bedroom unit for the resident manager. This Project is located at 1337 N. El Prado Street, Ridgecrest, CA 93555.

1. ***Project Specific requirements: HUD Definition of eligible project population of Developmentally Disabled: All residents of this project must be chronically mentally ill.***

(HUD Section 202/8 HUD handbook 4571.1

- A. Eligibility for Occupancy (General). Occupancy of this Section 811 housing is open to persons with disabilities. A person with a disability is a household composed of one or more persons, at least one of whom meets the following criteria:
1. is attributable to a mental impairment or combination of mental and physical impairment
 2. is likely to continue indefinitely
 3. results in substantial functional limitations in 3 or more of the following areas of major life activity; self care; receptive and responsible language; learning mobility; self-direction; capacity for independent living; and economic self-sufficiency.
- B. “Individual with Handicaps (Section 504 of Fair Housing Act) ...(2) The term “individual with handicaps”
- (a) **does not include** any **individual** who is **an** alcoholic whose current use of alcohol prevents the individual from participating in the program or activity currently in question or whose participation, by reason of such current use of alcohol would constitute a direct threat to property or the safety of others
 - (b) **does not include** any individual who is currently engaging in the use of illegal drugs where an owner acts on the basis of such use.
 - (c) includes an individual who:
 - (i) has successfully completed a supervised drug rehabilitation program and is no longer engaging in the illegal use of drugs, or has otherwise been rehabilitated successfully and is no longer engaging in such use;
 - (ii) is participating in a supervised drug rehabilitation program and is no longer engaging in such use; **OR**

(iii) is erroneously regarded as engaging in such use, but is not engaging in such use. (emphasis in original)
(24 CFR Part 8 Definitions under the Fair Housing Act and the Rehabilitation Act of 1973)

Citizenship/Immigration status requirements:

Prohibiting rental assistance to non-citizens does not apply to this property per HUD Handbook 4350.3 rev. Ch 3-12.

Social Security number (SSN) requirements:

Prospective residents must also show an **actual Social Security card** so that a photocopy may be made for owner's record. If a social security card is not available, then a letter from Social Security with their name and birth date will be acceptable.

When an applicant has a SSN but does not have the required documentation, the applicant may submit the SSN and certify that the number is accurate but that acceptable documentation could not be provided.

Individuals who have applied for legalization under the Immigration and Reform Control Act of 1986 will be able to disclose the social security numbers, but unable to supply the cards for documentation. Social security numbers are assigned to these persons when they apply for amnesty. The cards go to the Department of Homeland Security (DHS) until the persons are granted temporary lawful resident status. Until that time, their acceptable documentation is a letter from the DHS indicating social security numbers have been assigned.

Owners will accept the certification and continue to process the individual's application.

However, an applicant may not become a participant in the program unless the applicant submits the required SSN documentation to the owner. The applicant must provide SSN documentation to the owner within 60 days from the date on which the applicant certified that the documentation was not available.

If the owner has determined that the applicant is otherwise eligible for admission into the property, and the only outstanding verification is that of the SSN, the applicant may retain his or her place on the waiting list for the 60-day period during which the applicant is trying to obtain documentation.

After 60 days, if the applicant has been unable to supply the required SSN documentation, the applicant will be determined ineligible and removed from the waiting list (see paragraph 4-20 A).

2. **Income Limits:**

All residents must be of very low – or low income to qualify for this project. HUD establishes income limits and revises them annually. These are available from your local HUD office or on-line at www.huduser.org.

3. **PROCEDURES FOR ACCEPTING APPLICATIONS AND WAITING LIST**

(a) **Taking applications**

When an opening in a home occurs, management refers to its waiting list and contacts the first three prospective tenants for interview. After the interview, if the first one on waiting list is acceptable then that person is selected. If the first one on the list does not show for interview or does not want unit at that time, then the second person is selected for tenancy. The management agency continually receives referrals from the Department of Mental Health Services as well as the HOPE Center.. Word of mouth also assists us in receiving applications.

(b) **Preferences**

Chronically Mentally Ill Persons only

(c) **INCOME LIMITS / TARGETING**

All residents residing in this project must meet the low to extremely low-income limits as set by HUD annually in January.

(d) **Applicant screening criteria:**

Standards that prohibit admission of the project:

1. Any household containing a member(s) who was evicted in the last three years from federally assisted housing for drug-related criminal activity. There are two exceptions to this provision:
 - The evicted household member has successfully completed an approved, supervised drug rehabilitation program; or
 - The circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household).
2. A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents;
3. Any household member who is subject to a state sex offender lifetime registration requirement; and

4. Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.

Additionally, applicants must be able to establish:

1. Demonstrated ability to pay rent on time.
2. Good rental practices.
3. credit references or a sufficient explanation to overcome a negative one, except bankruptcies or unlawful detainers, which may form the basis for disqualifications.
3. Applicant with some alcohol or substance abuse involvement will be required to submit evidence of such period of sobriety and such information will be investigated. Disqualification would include:
 - a. applicant is currently using alcohol or illegal/controlled substances.
 - b. applicant is unable to provide evidence of two years of sobriety.
 - c. applicant has been convicted of DUI or drug possession within the past two years.
 - d. applicant has been convicted of manufacture or distribution of illegal/controlled substances.Responses will be verified with applicable third parties (including law enforcement)
4. Your family's composition must meet the standards of livability for the apartment your desire and not result in overcrowding.

The owners certify that all of the above criteria fully meet existing HUD rules, regulations and guidelines.

REASONS FOR DISQUALIFICATION

1. Applicant does not meet income guidelines
2. Applicant does not meet project population definition
3. Applicant does not meet Sponsor/Owner's tenant selection criteria
4. Applicant does not meet the standard of efficient use of rental units
5. Applicant has not demonstrated their ability to pay rent on time.
6. Applicant has not provided verification of good rental practices.
7. Applicant did not provide photocopies of documentation requested.
8. Applicant family's composition did not meet the apartments standard of livability.
9. Applicant has submitted false information.
10. Applicant has failed to supply additional information when requested.
11. Applicant has failed to complete application and/or interview process.
12. Owner/Sponsor is unable to verify information required to establish eligibility.

HUD 4350.3 Section 2-30 Paragraphs (c-f)

Owner shall provide Applicant the reasons for disqualification. Applicant has 14 days to Appeal this decision by responding in writing or by requesting a meeting. Management will give Applicant a written final decision within five (5) days of the appeal by response or meeting.

4. OCCUPANCY STANDARDS

As stated in the first section of this document, the eligibility for this project is limited to those persons with a mental disability. The definition of mental disability is also stated in the first section. The units are 1 bedroom with a living room, kitchen and bathroom.

5. UNIT TRANSFER POLICIES

If a tenant wishes to transfer to another unit then s/he must put it in writing and submit to management. When a unit becomes available management will interview resident about the transfer. If tenant wants to move to open unit then tenant may, however if they have lived less than five years in their unit they will have to pay a \$100 fee for the repainting of their vacated unit. Their security deposit will be transferred to new unit.

6. POLICIES TO COMPLY WITH SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE FAIR HOUSING ACT AMENDMENTS OF 1988.

This project was built to comply with Section 504 standards and ADA standards as well

(a) The owner/management agent does not discriminate on the basis of the disabilities in any program or activity as the owner receives federal financial assistance from HUD. This is a policy adopted by the Board of Directors of the sponsor, owner, and management agent.

(b) The owner/management agent prohibits discrimination in housing and related housing transactions based on race, color, religion, sex, national origin, disability, or familial status. This is a policy adopted by the Board of Directors of the sponsor, owner, and management agent.

(c) The owner/management agent, as well as Title VI of the Civil Rights Act of 1964, prohibits discrimination on the basis of race, color, national origin in any of its programs or activities. This is a policy adopted by the Board of Directors of the sponsor, owner, and management agent.

7. Policy for opening and closing the waiting list.

Management does not close the waiting list ever.

8. Drug Free Housing

We are a drug free community and support drug-free housing. Anyone found using or selling drugs will be prosecuted to the full extent of the law.

9. NOTICE

Management will:

1. Review your rental application for completeness and accuracy. (For those items that are not applicable to you, out in the notation "N/A" on the space for the answer. Make sure your application is legible and truthful)
2. Verify any and all information required to establish eligibility or suitability.