

**RESIDENT SELECTION CRITERIA
FOR
Charter Oaks Townhomes / Chowen Bend
Townhomes / Drake Apartments
Ewing Square Townhomes / Maple Pond Homes**

Managed by MBG Property Management

An Equal Housing Opportunity Provider



To be eligible for admission and Section 8 assistance subsidy, all adult household members must meet the following requirements. Live-in aides also are subject to criminal, credit and rental history criteria.

- 1) The assisted unit must be the household's sole residence.
- 2) All application information is subject to verification.
 - a) Applications can be obtained by visiting the management office when the waiting list is open. Interested parties may check www.mbgprop.com to see if a property's waiting list is open or can contact the property. Fully completed applications with attachments must be dropped off at the management office for the property. Accommodations will be made for applicants with disabilities who request a reasonable accommodation.
- 3) Only U.S. citizens and noncitizens with eligible immigration status may benefit from federal rental assistance.
 - a) All applicants must declare their citizenship or immigration status.
 - b) Noncitizens must submit documentation of their status or sign a declaration that they do not claim to have eligible status.
 - c) Noncitizen eligibility must be confirmed through the SAVE program prior to applicant approval.
 - d) A family with ineligible members may receive prorated assistance, continued assistance, or a temporary deferral of termination of assistance.
 - e) Students with a noncitizen student visa are ineligible for assistance, as are noncitizen family members living with the student.
- 4) Income Requirements: HUD requires this property use 30% and 50% income limits, based upon the median income for the area in which the property is located, adjusted for family size, to admit families. The Low Income Housing Tax Credit Program requires that we use 60% income limits for other units. To be eligible, applicants' income and assets must be verified, and the household's income cannot exceed the required limits for the unit available and number of people in household.
- 5) Screening: Any history of the following may be sufficient cause for denial:
 - a) Non-payment of rightful obligations including, but not limited to, rent or

utilities

- b) Bankruptcy within the last 7 years
- c) Disturbance of neighbors
- d) Destruction of property
- e) Poor living or housekeeping habits
- f) Problems involving chemical dependency, including use of, or distribution of, illegal or controlled substances or sale of same
- g) Rude, uncooperative or disruptive behavior of the applicant or applicant's family, or persons associated with applicant, during the application process
- h) Manipulating household size or income to influence position on waiting list or to impact rent calculation
- i) Failure to keep scheduled appointments during the admission/interview process
- j) Criminal activity involving crimes of physical violence to persons or property or a record of criminal acts that may adversely affect the health, safety or welfare of other residents or staff. **See the attached spreadsheet for our treatment of Criminal Convictions.**
- k) Any individual who has engaged in certain drug related criminal behavior, or whose alcohol abuse or pattern of abuse interferes with the health, safety or right to peaceful enjoyment of the premises, or who is subject to a State lifetime sex offender registration program will be denied.

Acceptable applicants should meet the following criteria:

- a) No complaints from landlords or debts owed to any landlord. Landlords for the past 3 years will be contacted for rental references. All debts owed to a previous Landlord must be paid in full before an applicant will be accepted. Failure of a landlord to respond to our request for rental reference may be cause for denial.
- b) No unlawful detainers/evictions within the last 7 years.
- c) No civil judgments within the last 7 years.
- d) Credit history –Fewer than 5 late payments in last 12 months and fewer than 4 collection accounts totaling less than \$5,000. Exceptions may be made for medical collection accounts, lack of credit history, or extenuating circumstances. Exceptions may be made for households with great rental references and no criminal history.
- e) Criminal Background check. See the attached spreadsheet for our treatment of Criminal Convictions *MBG does not release background checks to applicants. Please request a copy from Rental Research, 11300 Minnetonka Mills Road, Minnetonka, MN 55305 at 952-852-2060.*
- f) Have a valid and verifiable Social Security Number for all household members. If non-exempt household members have not provided verification of their Social Security Numbers when a unit becomes available, the next eligible applicant will be offered the unit. Applicants and residents have 90 days to provide documentation of Social Security numbers for children under the age of 6. The applicant who has not provided required Social Security Number information for all non-exempt household members has 90 days from the date they are first notified of an available unit to disclose/verify the Social Security Numbers. During this 90 day period, the applicant may retain his/her place on the waiting

list. After 90 days, if the applicant is unable to disclose/verify the Social Security Numbers of all non-exempt household members, the applicant will be determined ineligible and removed from the waiting list. Existing households can only add household members with valid, documented Social Security Numbers, except that minors under the age of 6, who are added to a Lease within the last six months will have 90 days to provide documentation of Social Security Numbers – and may be given a 90 day extension to provide documentation. If a household does not provide adequate Social Security documentation within the prescribed timeframe, HUD requires that the Owner terminate tenancy. The Social Security Number requirements do not apply to individuals who do not contend eligible immigration status and individuals age 62 or older as of January 31, 2010 whose initial determination of eligibility was begun before January 31, 2010. HUD does not allow exceptions to the Social Security Number documentation requirements.

- g) All household members are US Citizens or Eligible Non-Citizens.
- h) Capable of living independently or have adequate assistance to live independently.
- i) Meet all Section 8 and Section 42 requirements, including income eligibility and student eligibility, if applicable.

Applicants determined to be ineligible will be notified by letter and given 14 days to appeal the decision.

- 6) EIV Reports: The Enterprise Income Verification (EIV) system will be used to identify applicants who are already receiving housing subsidy at another property, to verify Social Security Numbers, and to verify income. If EIV indicates an applicant receives subsidy at another property, the applicant will have 3 days to produce a letter from their current property manager stating the date that their tenancy ends. If EIV determines that a household member has provided an invalid Social Security Number, the household will have 90 days to provide verification of the correct Social Security Number or be subject to termination of tenancy, according to HUD rules.
- 7) Students: Section 8 Assistance will not be provided to an individual who is enrolled full-time or part-time at an institution of higher education or other program leading to recognized education credential, who is under the age of 24, is not married, is not a veteran of the US Military, does not have a dependent child, is not disabled and was not receiving Section 8 assistance as of November 30, 2005, is not living with his/her parents who are receiving Section 8 assistance, **AND** Is not individually eligible to receive Section 8 assistance or has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance. Students living with their parents who are receiving Section 8 assistance are eligible for assistance, as are students who are individually eligible to receive Section 8 assistance.

In order for a student to be eligible, independent of his/her parents, the student must meet **one or more** of the following criteria. The individual is/was:

- 24 years of age or older by December 31;

- An orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
- An emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence either currently or immediately before turning 18;
- 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;
- A graduate or professional student;
- A married individual;
- The guardian of a legal dependent other than a spouse;
- An unaccompanied youth who is homeless (as defined in section 725 of the McKinney-Vento Homeless Assistance Act) or as unaccompanied, at risk of homelessness, and self-supporting, by (i) a local education agency homeless liaison, pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act; (ii) The director or designee of a program funded under the Runaway and Homeless Youth Act ; (iii) The director or designee of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act; or (iv) A financial aid administrator; or
- The individual is a student for whom a financial aid administrator documents independence by reason of other unusual circumstances.

In order to verify a student's independence from parents, the owner must:

- Verify previous address information to determine evidence of separate household from parents/legal guardians, **or** verify the student meets the U.S. Department of Education's definition of independent student;
- Review a student's prior year tax returns to verify student is independent or meets the U.S. Department of Education's definition of independent student; and
- Obtain written certification from a parent/guardian providing support income. Certification is also required if the parent(s) is not providing support to the student.

Additionally, households that consist entirely of full-time students living in properties participating in the Housing Tax Credit Program are considered ineligible unless they meet one of the following conditions:

- a. Students who are married and entitled to file a joint tax return;
- b. Single-parent with child(ren) and the parent is not a dependent of someone else, and the child(ren) is/are not dependent(s) of someone other than a parent;
- c. At least one member of the household receives assistance under Title IV of the Social Security Act (Minnesota Family Investment Program)
- d. At least one member of the household participates in a program receiving assistance under the Job Training Partnership Act or Workforce Investment Act or similar federal, state, or local laws
- e. A household member was in foster care within the last 5 years.

Some criteria, such as student status, income eligibility and citizenship requirements, will not apply to "market rate" units.

8) Occupancy Standards: Units are assigned based on household size and

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verified need of an accessible unit or additional bedroom.

<u>Unit Size</u>	<u>Minimum</u>	<u>Maximum</u>
1-Bdrm	1 persons	2 persons
2-Bdrm	2 persons	4 persons
3-Bdrm	3 persons	6 persons
4-Bdrm	4 persons	8 persons

A larger unit may be assigned if no eligible household requiring the larger unit will be available to occupy the larger unit within 60 days and the family agrees to move to the correct size unit, at their own expense, when an appropriate unit becomes available. Household composition will be allowed to increase by 1 person in the case of the addition of a child under the age of 2. Once the child turns 2, the household may be required to move to a larger unit. Special consideration may be given if a family is in the largest unit the property offers.

- 9) Unit Transfers: Unit transfers may be required based on above Occupancy Standards or HUD standards. Transfer fees will not be charged if the property requires a transfer or the transfer is required as a Reasonable Accommodation. Unit transfers of existing residents will be considered before taking a household from the property's waiting list. When transferring units, households will be required to pay anticipated costs of damages to the original unit within 30 days. Where non-handicapped persons are moved into units designed to meet special needs, they must agree to move to the first available appropriately sized unit with no such design features should an applicant or current resident require an accessible unit of the type currently occupied by the non-handicapped person
- 10) Fair Housing: This property does not discriminate against applicants or residents on the basis of race, color, creed, religion, sex, sexual orientation, national origin, age, marital status, familial status, handicap, disability, or socioeconomic class (public assistance). Our policies are designed to comply with Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act Amendments of 1988, and Title IV of the Civil Rights Act of 1964.
- 11) Violence Against Women's Act: An applicant's or resident's status as a victim of domestic violence, dating violence, sexual assault, or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant/resident otherwise qualifies for assistance or admission. Residents will be given HUD Forms 5380 and 5382 at application, and each adult applicant/resident must sign a VAWA Lease Addendum. If an applicant/resident wishes to invoke VAWA protections, the applicant/resident must complete HUD Form 5382, attaching a statement designating the action desired (lease bifurcation, early termination of tenancy, special consideration of application, etc) and give it to the property manager. Applicants/ residents may provide proof of their status as a victim allowed VAWA protection, such as copies of police reports or Orders for Protection. All documentation provided will be confidential and will not be given to others unless owner is legally required to do so. Assistance may be terminated or a lease

“bifurcated” in order to remove an offending household member from a home.

- a) VAWA - Emergency Transfers: A resident who is a victim of domestic violence, dating violence, sexual assault, or stalking, may be eligible for an emergency transfer. The resident’s written request for an emergency transfer should include a statement: 1) that the resident reasonably believes that there is a threat of imminent harm from further violence if the resident were to remain in the same unit; or 2) that the resident was a sexual assault victim and the sexual assault occurred on the premises during the 90 days preceding resident’s request for an emergency transfer. Owner cannot guarantee that a transfer request will be approved or how long it will take for a unit to become available.
- b) VAWA - Confidentiality: All records relating to VAWA protections will be placed in a file marked Confidential VAWA Information, and will be stored separately from the person’s file, in a locked office. These records will be released only if the victim consents to the release in writing, the information is necessary for an eviction action or otherwise is required to be released by applicable law. These documents will not be entered into any shared database.

12) Waiting List: When all units have been rented, a waiting list will be created. A completed application that provides desired unit size, household composition, estimated income and assets, citizenship declaration, marketing and contact information will be kept in chronological order based on the time and date the application was received.

- a) The waiting list will open when the number of people on the waiting list is 10% or less of the total contract units on the property.
- b) The waiting list may be closed when the average wait is a year or more. An advertisement will announce the opening and closing of the waiting list and will state the reasons for closing the waiting list. Applications received after that date will be refused.
- c) Waiting lists will be updated annually through a mailing to applicants on the list.
 - i) Applicants not responding to the mailing will be removed from the waiting list. Applicants may update their information at any time by providing updated information in writing.
 - ii) Households which do not provide copies of Social Security cards, or other documentation acceptable to HUD (such as any of the following if they show the name AND Social Security Number: original document issued by a federal or state government agency, a drivers license, earnings statements on payroll stubs, bank statement, form 1099, SSA benefit award letter, retirement benefit letter, life insurance policy, court records), within 90 days of being offered an available unit will be removed from waiting list, unless the individual is exempt from the HUD Social Security disclosure requirement. The Social Security Number requirements do not apply to individuals who do not contend eligible immigration status and individuals age 62 or older as of January 31, 2010 whose initial determination of eligibility was begun before January 31, 2010. If all non-exempt household members have not disclosed and provided verification of their SSNs at the time a unit becomes

available, the next eligible applicant will be offered the available unit. Applicants have the right to appeal to be reinstated to the waiting list when they have been removed.

- d) Income Targeting: The property is required to rent a specific number of units to households meeting the 30% or 50% income limits, based upon the median income for the area in which the property is located, adjusted for family size . We will admit households meeting the 30% and 50% income limits until our required income-targeting is met. If that requires that we skip applicants on the waiting list who exceed the 30% or 50% income limits, we will go back to applicants that were skipped after we have achieved the property's income targeting requirements.
- e) Current tenants needing a unit transfer due to medical reasons, changes in household composition, or VAWA rights will have priority for all vacancies.

REVIEW AND AMENDMENT OF POLICIES

The foregoing policies are subject to review and amendment by the property management agent from time to time when deemed necessary.

Long Term Homeless Units (Charter Oaks and Ewing Square Only)

This Page does not apply to Drake Apartments or Maple Pond Homes

Four units are reserved for Long Term Homeless Households (LTH) at Charter Oaks Townhomes. Two units are reserved for LTH Households at Ewing Square Townhomes. An LTH household is defined as a household which has experienced homelessness four times within three years or continuously for one year, as determined by the State of Minnesota. Any period of institutionalization or incarceration may be excluded when determining the length of time a household has been homeless.

When an LTH unit becomes available, Property Management will contact their Service Provider (SP) which will provide an applicant for the LTH unit from the Coordinated Entry Program. Property Management will process the household's application per its regular process, including criminal, credit and landlord background checks. If approved by Property Management, SP confirms that the household meets the LTH definition, and interviews the applicant family to assess if they can meet the obligations of tenancy with the supports available through SP. During the interview, SP will outline the tenancy responsibilities and the application process, including:

- i) Eligibility requirements and reasons for rejection. Applicant will be given an opportunity to explain negative rental history, history of rental non-payment, behavioral history, and discrepancies between the applicant's information and the verification reports
- ii) Information on the applications and verification forms
- iii) Recertification policies and the applicants' responsibility to inform the Property Manager of changes in income and household composition
- iv) House rules, policies, and Lease requirements
- v) Guest policies, Drug-free / Crime Free Lease Addendum
- vi) Supportive services available through SP

If SP and Property Management does not feel the applicant is willing or able to take the necessary steps to prevent a reoccurrence of past tenancy or legal problems, the applicant will receive a written denial of tenancy, including information on the appeals process.

For the LTH units, property management will consider households that do not meet our regular screening criteria. Lack of credit history will not be cause for rejection. Consideration will be given to reasonable justification for nonpayment of rent, such as loss of job, medical emergency, etc.

Rejection for the LTH units may occur because of the following: history of drug sales or use, history of physical violence to persons or property, criminal activity that could adversely affect the health, safety or peaceful enjoyment of other residents, providing false information on application, inability or refusal to provide necessary information to complete application process. Applicants with felony convictions for violence, sex offenses, or drug sales will be rejected.