

Resident Selection Plan

Delphia Management Corporation

Resident Selection Plan

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RESIDENT SELECTION PLAN AND CRITERIA

Delphia Management Corporation

These tenant selection criteria shall be used for U.S. Department of Housing and Urban Development (HUD); U.S. Department of Agriculture (USDA), Rural Development; Federal Low Income Housing Tax Credit; and HOME Program properties under rent-up and/or management by the Management Agent. The policy of the Management Agent is one of equal opportunity and non-discrimination in compliance with all Civil Rights legislation (1964, 1968, 1988), Section 504 of the Rehabilitation Act of 1973 and Affirmative Fair Housing Marketing requirements as set forth individually for each property. No applicant would be denied on the basis of race, color, religion, sex, national origin, disability and familial status. Applicants must meet all applicable HUD, USDA Rural Development, Federal Low Income Housing Tax Credit Program, and/or the HOME Program as well as Management Agent tenant selection requirements to gain admission to a property rented or managed by the Management Agent.

Tenant selection criteria for HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program are used for each site that receives rental assistance subsidies.

A. APPLICATION

All properties are marketed at least once per year, if not more frequently, as required by HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program using all advertising and community contacts as set forth on the HUD 935.2 Affirmative Fair Housing Marketing Plan. All persons interested in any property rented or managed by the Management Agent may request an application either in person (or through a designated individual) at the local on-site office or at the Agent's main office, 118 North George Street, York, Pennsylvania, during posted office hours. Applications may be requested to be mailed by calling the local phone number at the site or main office. FAX requests for applications may be sent. Applications will also be available through the Management Agent's website – www.yadc.com. TDD telecommunication is available by calling the TDD number. Applications are available even if a sizeable waiting list exists. **See Attachment A for listing of sites managed by the Agent.**

An application must be completed in full by the applicant and submitted either in person or by mail to the local or main office. The application must be used; it contains requests for all information necessary for determining initial eligibility. Applicants may request assistance in completing the application if necessary. The Management Agent's policy is to assist applicants whenever possible, especially to accommodate requests by persons with disabilities. All applicants whose applications are not complete will be contacted within ten (10) days of receipt in writing with a written list of items necessary to complete the application. While the site office will track all applications and requests for additional information, no application will be placed on the waiting list until it is complete. When a completed application is received or the requested information received subsequently to make it complete, the application will then be logged by date and time received and placed on the waiting list. When a vacancy at the property exists, or is expected within the next ninety (90) days, the verification-selection process will begin immediately for the next applicant on the waiting list in regard to the income, assets, and eligible program allowances for certification and the Management Agent references for selection or rejection.

Notices will be mailed to the first three (3) to five (5) applicants on the list for the particular size unit to be available advising them that if they are still interested in a unit, they should contact the manager within fourteen (14) days from the date of the letter. For those contacted who respond on time, the manager shall arrange a meeting for the interested applicant highest on the waiting list to begin the selection and verification process. If they do not respond to telephone calls and/or letters in that fourteen (14) day period, their name shall be removed from the waiting list.

The application contains a release form which must be signed to authorize the Agent to verify all items inclusive of credit history and other references. Placement of an application on the waiting list does not denote final tenant selection; that can and will occur only after the process has been completed. Preliminary eligibility shall be determined by using the information on the application.

All applicants who submit a completed application (or when an application becomes complete) will be notified in writing of waiting list status or subsequent tenant selection or rejection. Any applicant **(for rental assistance units)** who exceeds income limits for eligibility based upon application information, or if ineligible during later processing, shall be notified in writing that they are ineligible. Similarly, any applicant who is not eligible due to other eligibility requirements shall also receive a notice of ineligibility. However, should the property have permission or will be seeking such permission (from HUD, USDA Rural Development, Federal Low Income Housing Tax Credit, and/or the HOME Program) to rent to ineligibles, the income ineligible applicant should be maintained on the waiting list.

B. WAITING LIST

1. All completed applications are listed on the waiting list by date and time received. The date/time is based on when the completed application or subsequent information is received to make the application complete. The waiting list contains all program requested data (HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or HOME Program) inclusive of date and time, name, address and phone number of applicant, income, bedroom size requested, eligibility for housing assistance, date contacted for an interview and final tracking status (i.e. selection, rejection, cancellation, etc.). Sub-lists to the master list are kept by accessible units with each sub-list kept by income levels (extremely low, very low, and low). An applicant on the waiting list will appear on as many sub-lists, cross referenced, as appropriate. Any applicant on the waiting list with a Letter of Priority Entitlement (LOPE) would be placed at the top of the accessible unit list and income level appropriate category. Ineligibles will be kept on the waiting list and sub-lists if waivers to rent to ineligibles have been requested or received by HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program. Any applicant may request information on current status by writing (mail or email) or calling the site or main office.
2. Applicants placed on the waiting list shall have their names removed from it for any of the following reasons:
 - a. The applicant no longer meets the eligibility requirements for the property or the programs;
 - b. The applicant fails to respond to a written notice for an eligibility interview as detailed in Section A.
 - c. The applicant is offered and rejects two (2) units in the program. This requirement may be waived on a case-by-case situation given the specific population of eligible applicants and the sometimes unique circumstances through which they might be going.
 - d. Mail sent to the applicant's address is returned as undeliverable, and other direct attempts that are sometimes used to contact Program participants are unsuccessful;
 - e. The unit that is needed based on family size changes and no appropriately sized unit exists;
 - f. It is discovered that the applicant provided false information;
 - g. The applicant requests voluntarily that his/her name be removed.
3. If an applicant is removed from the waiting list, and subsequently it is determined that an error was made in removing the applicant, the applicant shall be reinstated at his/her original place on the waiting list.

4. Since there are a limited number of potentially eligible applicants, the waiting list tends to be relatively small. It is not a pressing matter to necessarily open and close the waiting list. Typically, the waiting list will not be closed. However, at least once a year the persons on the waiting list shall be contacted, whenever practical, to determine their respective intentions to remain on the list or not.
5. The following policy shall apply for the closing and opening of the list:

- a. Closing

The vacancies and the waiting list in the property shall be monitored regularly. The waiting list shall be monitored to make sure that it does not become so long that the wait list for a unit becomes excessive.

The waiting list may be closed for one (1) or more sizes when the average wait for an applicant to be considered for a vacant unit is one (1) year or more.

If the waiting list is to be closed, potential applicants shall be advised that the waiting list is closed and the Agent shall refuse to take additional applications.

If there is a decision to close the waiting list and no longer accept applications, a notice to that effect shall also be posted in the local daily newspaper(s) of general circulation. Any applicable agency that typically refers applicants will be notified. The notice shall state the reasons for the refusal to accept additional applicants.

- b. Opening

When the vacancy and waiting list situations are such that it is appropriate to open the closed list, a notice shall be published in the local daily newspaper(s) and sent to the appropriate agencies announcing the reopening of the waiting list.

The notices shall be extensive, stating the rules for applying and the order in which applications shall be processed. All notices and advertisements shall include information regarding where and when to apply and shall conform to the advertising and outreach activities described in the Affirmative Fair Housing Market Plan.

C. RESIDENT ELIGIBILITY FACTORS

1. Applicants shall be selected from the waiting list chronologically based on date and time of application, by income level, by occupancy standard for bedroom size available, and by preference, if applicable.
2. The applicant shall meet eligibility criteria for the specific project and unit as defined in HUD Occupancy Handbook, USDA Rural Development guidelines, Federal Low Income Housing Tax Credit guidelines, HOME Program regulations, and/or Management policies.
3. Most of the sites have unique eligibility factors:

Cloverfield and Kingston House Apartments are Section 202/8 projects. As defined in HUD Handbook 4350.3 REV-1 Chg-2, Section 202/8 projects for the elderly serve elderly families and for 10% of the units which are accessible, persons (elderly or non-elderly) who require the accessible features of the unit. For units designed for persons with physical disabilities, the head or spouse may be elderly or non-elderly and must have a disability requiring the accessible feature.

The Delphia House Apartments was constructed under HUD's Section 8 – New Construction program. Eligibility is limited to the elderly and non-elderly applicants with a disability.

Applicants for residency in the Dutch Kitchen Single Room Occupancy Apartment House must qualify under at least one of two program categories: (1) the HUD Existing Section 8 Housing Program administered by the Housing Authority of the City of York, or (2) the Federal Low Income Housing Tax Credit Program, as regulated by the U.S. Department of the Treasury and the Pennsylvania Housing Finance Agency. The household must be a single person who is eligible and who intends to live alone. Only single persons, who are 18 years of age or older, are eligible.

Green Meadow Apartments is a Rural Housing Services 515 project under USDA Rural Development. Eligibility is limited to the elderly and non-elderly applicants with a disability.

Highland Manor Apartments is a Rural Housing Services 515 project under USDA Rural Development. Highland Manor tenants receive HUD Section 8 rental assistance. Households in which the head, co-head or spouse is 18 years of age or older are eligible.

King Street, Liberty, and Mount Rose Avenue Apartments are part of the HOME Program. Households in which the head, co-head, or spouse is 18 years of age or older are eligible to apply.

4. Citizen/Immigration Requirements: (This section does not apply to applicants who will not be receiving HUD rental assistance, i.e. Section 8.)

- a. Applicants are required to declare U.S. Citizenship or submit evidence of eligible immigration status for each household member seeking assistance. The following documents are required:
 - 1) Family Summary Sheet (lists all household members who will reside in the assisted unit)
 - 2) Citizenship Declaration (Each household member listed must complete.)
 - 3) Forms and/or evidence of citizenship/immigration status.
- b. Applicants must submit required documentation of citizenship/immigration status no later than the date verification of other eligibility factors are initiated. Citizen or non-citizen eligibility verification will be done first. The applicant's citizenship or immigration status must be determined during the initial eligibility determination, prior to adding that household to the waiting list or prior to move-in.
- c. If the applicant cannot supply the documentation within the specified timeframe, the applicant may request an extension of not more than thirty (30) days, **but only if** the applicant certifies that the documentation is temporarily unavailable and additional time is needed to collect and submit the required documentation.
- d. Applicants that are U.S. Citizens must sign a declaration of citizenship and provide documents as proof of citizenship. Verification of the declaration will be completed. Please refer to Attachment C of the Resident Selection Plan for a listing of documents that will be accepted as proof of citizenship.
- e. Applicants that are non-citizens claiming eligible status must sign a declaration of eligible immigration status, consent form and provide a DHS-approved document. Please refer to Attachment C of the Resident Selection Plan for a listing of documents that will be accepted.
- f. Non-citizens not claiming eligible immigration status may elect to sign a statement that they acknowledge their ineligibility for assistance.
- g. The validity of documentation provided by the applicant shall be verified with the Department of Homeland Security (DHS) through the use of the Alien Status Verification Index (ASVI) and/or through the use of a Document Verification Request, Form G-845S.

- h. Households shall be notified in writing that they are (1) eligible for assistance, (2) eligible for partial assistance, as a mixed household or (3) ineligible based upon citizenship/immigration status.
- i. Rental assistance shall not be delayed for an otherwise eligible applicant if he/she has submitted the immigration information in a timely manner by the DHS verification or the appeals process has not been completed.
 - 1) If a unit is available, the applicant has come to the top of the waiting list, and at least one (1) member of the family has submitted the required documentation in a timely manner, the family shall be offered a unit and provided with prorated assistance to those family members whose documents were received on time.
 - 2) Prorated assistance shall continue to be provided to such families until information establishing the immigration status of any remaining non-citizen family members has been received and verified.
- j. If the citizenship/immigration status of a family assisted prior to completion of the verification or appeal process has been determined, the following shall occur:
 - 1) Full assistance to a family that has established the eligibility of all of its members shall be provided;
 - 2) Continued prorated assistance to a mixed family shall be offered, or temporary deferral of termination of assistance if the family does not accept the offer of prorated assistance; or
 - 3) Temporary deferral of termination of assistance to an eligible family shall be offered. At the end of the deferral period, the family must either pay market rent or vacate the unit.
 - 4) Currently assisted families that have no eligible members and those that qualify only for prorated assistance and choose not to accept the partial assistance are eligible for temporary deferral of termination of assistance. The deferral allows the family time to find other suitable housing before HUD terminates assistance. During the deferral period, the family shall continue to receive its current level of assistance.
- k. The initial deferral period shall be for six (6) months and may be extended for an additional six (6) month period, not to exceed eighteen (18) months.
 - 1) At the beginning of each deferral period, the family shall be informed of its ineligibility for financial assistance and be offered information concerning, and referrals to assist in finding, other affordable housing.
 - 2) Before the end of each deferral period, the Owner shall determine whether affordable housing is available to the family and whether to extend the deferral of termination of assistance.
 - (a) To extend a deferral period, the Owner shall determine that no affordable housing is available. The family shall be informed of the Owner's determination at least sixty (60) days before the current deferral period expires. The Owner's determination should be based on the following:
 - A vacancy rate of less than five percent (5%) for affordable housing of the appropriate unit size in the housing market for the area in which housing is located;
 - The local jurisdiction's Consolidated Plan, if available;
 - Availability of affordable housing in the market area; and
 - Evidence of the family's efforts to obtain affordable housing in the area.

(b) To terminate assistance, the Owner shall determine that affordable housing is available, or that the maximum deferral period has been reached. Affordable housing in this case is housing that:

- Is not substandard;
- Is the appropriate size for the family;
- Can be rented by the family for an amount less than or equal to 125% of the family's current rent, including utilities.

(c) If eligible for prorated assistance, the family may request and begin to receive prorated assistance at the end of the deferral period.

5. Social Security Number Requirements

a. All members of the applicant household must provide the complete and accurate Social Security Number assigned to the applicant and to each member of the applicant's household and proof that the Social Number is accurate. Eligibility of assistance must be denied to an applicant in accordance with the provisions governing the program if the assistance applicant does not meet the applicable Social Security Number disclosure, documentation, and verification requirements.

b. Adequate documentation means a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

- 1) Original Social Security card
- 2) Driver's license with SSN
- 3) Identification card issued by a Federal, State or local agency, a medical insurance provider, or an employer or trade union
- 4) Earnings statements on payroll stubs
- 5) Bank statement
- 6) Form 1099
- 7) Benefit award letter
- 8) Retirement benefit letter
- 9) Life Insurance Policy
- 10) Court records.

c. The applicant/resident is required to provide a signed affidavit, specifying that the Social Security Number is accurate if anything other than the original Social Security card is used to verify the accuracy of the Social Security Number provided.

6. For units with rental assistance, the household's annual income may not exceed the applicable income limits as established by HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program for the area in which the project is located. The applicant's annual income is compared to the income limits to determine eligibility. **Dutch Kitchen** applicants must have an income equal to or below fifty percent (50%) of the area-wide median income for York, adjusted for household size.

Listed below are the sites and applicable income limits:

- Very Low – Cloverfield Apartments, Dutch Kitchen, Green Meadow Apartments, Highland Manor Apartments, King Street Apartments, Kingston House Apartments, Liberty Apartments, and Mount Rose Avenue Apartments
- Low – The Delphia House

There are no income requirements for the apartments on George Street.

Prospective tenants shall be requested to provide information regarding estimated annual income and assets. Tenants and applicants will sign an agreement consenting to provide the Agent with information about their family's income and assets as derived from any source. The Agent will verify all income and assets.

7. Tenants shall not be selected in order different from that of the waiting list for the purpose of selecting higher-income households for residence. However, higher-income applicants may be skipped over in order to achieve the forty percent (40%) extremely low-income requirement.
 - a. At least forty percent (40%) of the assisted units that become available in each year of the project's fiscal year shall be made available for leasing to families whose incomes do not exceed thirty percent (30%) of the area median income ("extremely low-income") at the time of admission. In addition, no more than fifteen percent (15%) of units available for occupancy shall be rented to low-income families (between 51% and 80% of the median income) other than very low-income families (50% of area median income or below).
 - b. In order to meet the forty percent (40%) extremely low targeting requirement, the Agent shall make sure that during each fiscal year, the first two (2) of each five (5) units vacated shall be rented to extremely-low income tenants. It is not anticipated that this targeting requirement shall be a problem to meet. Most applicants for housing units have been and are anticipated to be extremely low-income, so no special marketing efforts are planned.
 - c. If an applicant is skipped over in favor of housing for an extremely low-income household, he/she will not lose his/her place on the waiting list and shall be considered for the next available unit.
8. In assisted units, the resident shall agree to pay the rent calculated using rules established by HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program. All other tenants shall agree to pay the rent as set forth by the Management Agent.
9. The unit must be the family's only residence. Assistance may not be provided to families who will maintain another residence in addition to the assisted unit.
10. The Agent and resident shall attempt to comply with the unit size standards established by the Owner in relation to the occupancy standards. The resident may select the unit size they deem appropriate to his/her needs insofar as overcrowding by the household does not happen and under-utilization of the unit does not occur. The tenant shall pay any moving costs if they are required to transfer to an available proper size unit.
11. At the time of admission, the applicant may not be receiving assistance on any unit. (This does not prevent a person from applying for assistance in another project).
12. The applicant must meet the economic criteria established for the program in question.
13. The applicant must meet any preference requirements, where applicable, and any tenant selection criteria.
14. The applicant must have the legal capacity to enter into a lease agreement and all adults in each applicant family must sign an Authorization for Release of Information form prior to entering into the lease agreement.
15. The **Dutch Kitchen** will have a mixture of Section 8 and non-Section 8 assisted tenants. Fifty (50) of the fifty-nine (59) rooms will be subsidized through the Section 8 Program of the Housing Authority of the City of York. During initial occupancy, all applicants will be sent to the Housing Authority to be certified.

The Housing Authority will have each applicant fill out its application form for the Section 8 Program. The Authority will maintain a separate waiting list for SRO units on a first-come, first-serve basis. Each applicant's situation will be reviewed and verified by the Authority to determine a person's eligibility.

Nine (9) of the units at the **Dutch Kitchen** will not have Section 8 subsidy available. However, the United Way of York is providing a subsidy to allow the Owner to keep the rents for these nine (9) units lower than what would otherwise be charged. The Agent will market these units independent of the Housing Authority and will determine each applicant's eligibility for occupancy in the **Dutch Kitchen**.

16. Eligibility of Students for HUD Section 8 Assistance (**Exception: The Dutch Kitchen project may not accept full-time students.**)

- a. The Owner must determine a student's eligibility for Section 8 assistance at move-in, annual recertification, initial certification (when an in-place tenant begins receiving Section 8), and at the time of an interim recertification if one (1) of the family composition changes reported is that a household member is enrolled as a student.
- b. Section 8 assistance shall not be provided to any individual who:
 - Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential;
 - Is under the age of twenty-four (24);
 - Is not married;
 - Is not a veteran of the United States Military;
 - Does not have a dependent child;
 - Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving section 8 assistance as of November 30, 2005);
 - Is not living with his or her parents who are receiving Section 8 assistance; and
 - Is not individually eligible to receive Section 8 assistance **and** has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance.
- c. For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate the absence of, or his or her independence from, parents. While the Owner may use additional criteria for determining the student's independence from parents, the Owner must use, and the student must meet, at a minimum **all** of the following criteria to be eligible for Section 8 assistance. The student must:
 - 1) Be of legal contract age under State law;
 - 2) Have established a household separate from parents or legal guardians for at least one (1) year prior to application for occupancy, or meet the U.S. Department of Education's definition of an independent student.
 - 3) Not be claimed as a dependent by parents or legal guardians, pursuant to IRS regulations; and
 - 4) Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

- d. Any 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 twenty-three (23) with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance.
- e. If an ineligible student is a member of an applicant household or an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated in accordance with the guidance in paragraph 8-6 A of HUD Handbook 4350.3 REV-1 Chg-2.

NOTE: The Owner cannot evict or require an ineligible student to move from a unit as long as the student is in compliance with the terms of the lease.

D. PRIORITIES AND PREFERENCES

Preference is given to applicants in accordance with tenant selection policies governed by HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program.

The waiting list will be developed in compliance with the fair housing laws of the United States, State and Local governments. The Agent will process applications from persons using the following preferences:

1. For applicants needing barrier free units, preference will be given to those persons requiring such units. Any applicant who requests modifications or accommodations to non-adapted units will have consideration of those requests when selected, but with no priority for selection. In order to be eligible for selection, an applicant must meet income eligibility, based on per-person income limits. Applicants who meet the income eligibility must meet occupancy standards set for the property and bedroom size.
2. As described above, higher income applicants (above 30% of median income) may be skipped in order to achieve the 40% extremely low-income requirement.
3. The following local preferences shall be applied for **The Delphia House**:
 - a. Preference for occupancy will be given to elderly persons or families.
 - b. Ten percent (10%) of all units – ten (10) units – are reserved for occupancy by disabled families who are not necessarily elderly or near elderly, as provided for in Subtitle D, Section 651 through 659, of the Housing and Community Development Act of 1992.

Since not all disabled persons are mobility impaired, nor need features of a unit designed for accessibility for the mobility impaired, the reservation of ten percent (10%) of the units for the non-elderly disabled is not limited only to the accessible units. Procedures for leasing to the non-elderly disabled will be done in compliance with the HUD regulations in 25 CFR Part 883, published May 33, 1994, establishing preferences for elderly families and the reservation of the units for disabled families.

The Agent informs all applicants, including those on the waiting list, of the availability of the preferences. At the time of application, the applicant certifies if he or she is eligible for a preference. Verification of preference eligibility is done prior to providing housing assistance to the applicant. If upon verification it is determined that the family does not qualify for the preference, the family is returned to the waiting list in the place it would have been given if the family had not certified that it qualified for the preference.

The system for applying the preference provides that an applicant who qualifies for any of the preferences receives assistance before any applicant who does not qualify for a preference, regardless of place on the waiting list at the time of application.

If the Agent determines the applicant does not qualify for a preference, the applicant must be notified in writing and given the opportunity to meet with the Agent.

* **See Attachment B for Priorities and Preferences for the Dutch Kitchen.**

E. PROCESSING STEPS

The project is to be rented up and occupancy maintained on a first-come, first-served basis with the initial applications date-stamped when received and a single, chronological list of all applicants to be maintained at the rental office by the Agent.

The waiting list for the **Dutch Kitchen** will be maintained by the Housing Authority. As Section 8 units at the **Dutch Kitchen** become available, the Agent will contact the Housing Authority advising them that applicants are needed to fill the vacant units.

Applicants must meet application, interview and reference criteria in addition to program (HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program) and occupancy policy requirements. In completing the application, all applicants must sign the release form allowing the Agent to verify all income, assets and allowances along with credit, personal, criminal and landlord references. In addition, the Agent may check with other agencies necessary to verify eligibility and with police departments and wage matching as well. All applicants shall have a personal interview. After processing and the interview have been completed, an eligible applicant shall receive a notice of tenant selection. Applicants who wish to be a tenant or co-tenant must possess the legal capacity to sign all documents (unless an accommodation determination for the disabled to allow guardian signature if otherwise eligible is made), and shall have to agree to complete the tenant certification process, enter into a one (1) year lease agreement, pay a security deposit and participate in a unit inspection prior to occupancy of the unit.

For units classified as RHS 515 with Section 8, the security deposit is equal to one month's Total Tenant Payment. For units with assistance only from Section 8, the security deposit equals the greater of one (1) month's Total Tenant Payment (inclusive of the Utility Allowance) or \$50, whichever is greater. For units with assistance only from USDA Rural Development, the security deposit is \$425. Where hardship exists, applicants may request a payment plan which would require a down-payment of the security deposit of at least 30% for Section 8 sites and 1/6th for USDA Rural Development sites. The remaining balance must be paid in equal installments monthly, with the full amount paid within three (3) months for Section 8 sites and six (6) months for sites with assistance from USDA, Rural Development. All other applicants must pay a full security deposit no later than at lease signing.

For those sites that allow pets, a pet deposit will be collected at lease signing. Assistance animals with proof of need are permitted and no security deposit is required.

All marketing and intake must be in compliance with the Affirmative Fair Housing Marketing Plan (AFHMP HUD Form 935.2). This plan is intended to promote equal housing choices for all prospective tenants in the market regardless of race, color, religion, sex, national origin, disability or familial status. This plan outlines the marketing outreach strategies including special efforts to the least likely to apply. It does specify racial, ethnic and economic mix targets and marketing strategies to attract that mix but it does not specify mandatory racial or ethnic quotas. **APPLICANTS ARE SELECTED BASED ON THE RESIDENT SELECTION PLAN.** Marketing efforts are monitored and strategies adjusted if desired mixes of applicants do not respond. The plan can be altered or amended with approval from HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program.

Applicants must be admitted, placed on the waiting list or rejected. Potentially eligible and acceptable applicants for whom the appropriate size unit is not available should be placed on the waiting list and informed: (1) that they will be contacted when an appropriate unit becomes available, and (2) approximately how long it will take for a unit to become available. The waiting list may be closed for one (1) or more unit sizes when the average wait for admission is more than a year with approval from the Agent.

The Property Manager is responsible for accepting and rejecting applicants.

The processing sheet/waiting list will be reviewed to identify the applicants who meet the criteria for priority needs listed in the priority section. Upon identification, those applicants will be processed first and, if eligible, must meet all eligibility criteria and will have first priority for occupancy. The processing sheet/waiting list will then be maintained on a first-come, first-served basis.

F. RESIDENT SELECTION

The resident selection procedure applies to all applicants, including all adult members of the applicant's family who are expected to reside in his or her household. The resident selection procedure shall be in compliance with Fair Housing and Equal Opportunity requirements. The Agent shall secure information related to the screening criteria. The screening criteria to be used shall include: demonstrated ability to pay rent and make timely payments; history as a good resident; credit history; use of illegal drugs; alcohol abuse; sexual offender status; other criminal behavior, and housekeeping habits.

The screening of live-in aides at initial occupancy and the screening of persons or live-in aides to be added to the tenant household after initial occupancy involve similar screening activities. Both live-in aides and new additions to the tenant household will be screened for drug abuse and other criminal activity by applying the same criteria established for screening other applicants. In addition, the Owner/Agent may apply any other Owner established applicant screening criteria to new household members in order to establish suitability for tenancy. Owner established screening criteria will also be applied to live-in aides, except for the criterion regarding the ability to pay rent on time because live-in aides are not responsible for rental payments.

Police officers and other security or management personnel that reside in subsidized units are subject to the same screening criteria as other applicants.

1. Credit Report

Credit reports shall be ordered. Information shall be requested on the form provided by the area credit bureau. The absence of a credit file shall not adversely affect the applicant. Each applicant's report shall be reviewed to determine the history of his/her payment practices including utilities, outstanding loans, judgment, repossessions, foreclosures, etc. The uniform review and objective determination of credit history are not always possible; however, the following specifications will be used as a benchmark in reviewing credit reports – addresses will be checked with application; place of employment will be checked with application; and credit history will be reviewed.

Since many of the **Dutch Kitchen** applicants will have been homeless, the absence of a credit file shall not adversely affect the applicant.

Procedure for Evaluation of Credit Report

For a credit history, the number and amount of outstanding balances shall be checked. After checking balances and to whom the applicant owes money, the Agent shall examine the manner of payment and historical status. The credit bureau classifies accounts from 0-9, 0 representing a newly approved account too new to rate, and 9 representing a bad debt in collection status. For purposes of evaluating payment histories of prospective residents, acceptable payment ratings of 0, 1, 2 and 3 will generally be considered acceptable. Ratings of 4 through 9 will not be acceptable. A rating of 3 represents that the person pays in more than 60 days but no more than 90 days or two (2) payments past due. A rating of 4 represents payments overdue 90 days but not longer than 120 days.

In areas where the credit bureau does not use the standardized 0-9 rating, a payment record of 60-90 days will be the maximum acceptable.

Four (4) accounts in excess of the 90-120 days period or two (2) charge-off accounts or any combination of these two (2) will constitute a basis for rejection. However, given the problematic nature of many homeless, single person households, it is anticipated that the Agent will have to be somewhat flexible when evaluating credit reports of **Dutch Kitchen** applicants.

Particular attention will be given to the applicant's credit history involving utilities, previous rental situations and regular but not particularly unusual loans and credit lines. Where there are credit problems associated with unpaid or late medical and pharmaceutical bills, the Agent shall not necessarily apply the same criteria of evaluation, since non-payment or problems paying these types of bills are not considered to be representative and reliable basis for evaluating an applicant's bill-paying habits.

The person evaluating the report shall review the report with some subjectivity, taking into consideration the overall payment record as an indication of the probable expectation regarding rent payments. For prospective tenants that will be receiving Section 8 or other rental assistance, the evaluation of the applicant's tenant history shall also take that assistance into consideration.

2. Illegal Drugs

Inquiries shall be made of each applicant to determine whether the applicant or member of the household is currently an illegal drug user of a controlled substance; has been convicted of the illegal manufacturing or distributing of a controlled substance, convicted of the illegal use of a controlled substance, engaged in other drug-related criminal activity, or had been evicted from Federally-assisted housing for drug-related criminal activity.

A criminal background information report shall be conducted by the Agent. In addition to currently engaging in illegal drug use, if it is determined that there is reasonable cause to believe that a household member's illegal use or a pattern of illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents, an applicant shall be rejected.

Any household member that has been evicted from Federally-assisted housing for drug-related criminal activity within three (3) years from the date of the admission decision shall be rejected. If the household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program and circumstances leading to the eviction no longer exist, the applicant may be considered for admission.

Any drug-related criminal activity that occurred within the five (5) years immediate to the date of the admission decision shall constitute grounds for rejection. However, if there is a long-term pattern of drug-related criminal activity that exceeds five (5) years and is strongly indicative of continuing threats to the health, safety and peaceful enjoyment of the premises, an applicant shall be rejected.

3. Sexual Offender

Any member of a household applying for a unit who is subject to a lifetime registration requirement under a state sex offender registration program shall be rejected.

During the admissions screening process, the Agent shall perform the necessary history background checks in Pennsylvania and in any other state where the household members are known to have resided.

4. Alcohol Abuse

If it is determined in the resident selection process that there is reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol would interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents, the applicant shall be rejected.

5. Criminal Activity

Any applicant or household members who are currently engaging or has engaged in any violent criminal or other criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or that would threaten the health or safety of the Owner, its Agent or any employee, contractor or subcontractor involved in the housing operations, shall be rejected. Ordinarily, any criminal activity that occurred within five (5) years immediate to the date of admission decision shall be considered. However, if there is a long-term pattern of criminal behaviors that exceeds five (5) years and is strongly indicative of continuing threats, an applicant shall be rejected.

For all residents at time of annual recertification, criminal verifications will be completed.

6. Landlord Report

Reference from present and previous landlords for a minimum of three (3) years prior to application will be considered. An applicant may be rejected if this report documents failure to make rental payments; responsibility for disturbing the safety, security and right to peaceful enjoyment of other tenants; instances of gambling, prostitution, drug dealing, drug manufacturing or illegal drug activity; damage to the property beyond normal wear; threats of violence to the landlord or neighbors, allowing persons not on the lease to reside on the premises, or a serious lease violation.

7. Home Visits

Home visit reports on housekeeping will be completed on all applicants residing within a fifty (50) mile radius of the site's location. Any five (5) affirmative answers on the report are grounds for rejection, unless undesirable conditions or damages exist due to circumstances beyond the applicant's control. In such instances, the burden of proof will rest with the applicant. It is important that the Agent consider the circumstances of the applicant. Some applicants will have been homeless or reside a great distance away and no home visit can be made. The inability of the Agent to perform a home visit because of homelessness or extreme distance situations will not necessarily result in rejection of an applicant.

G. OCCUPANCY STANDARDS

Generally, in order to prevent overcrowding and conflicts with local building and occupancy codes, the following general occupancy standards shall apply for all sites except the **Dutch Kitchen**. The **Dutch Kitchen** is single room occupancy – only single persons who are eighteen (18) years of age or older.

1. No more than two (2) persons shall be required to share a bedroom/sleeping area. Every room occupied for sleeping purposes by more than one (1) occupant should contain at least fifty (50) square feet of floor area for each occupant.
2. Children of the opposite sex may share a bedroom/sleeping area at the discretion of the parents.
3. Children of the same sex may share a bedroom/sleeping area.
4. Unrelated adults and persons of the opposite sex (other than spouses) shall not be required to share a bedroom/sleeping area.
5. A child may share a bedroom/sleeping area with a parent if the parent so wishes.
6. For specifically designed (barrier-free) units, applicants needing those features will be given priority. Should no one apply who would benefit from special unit features, another applicant base on income level and occupancy policy should occupy this unit with a written lease agreement to transfer to a different unit when available and should an applicant now exist on the waiting list for the special unit.

7. Occupancy Guidelines (The resident may select a unit size he/she deems appropriate to his/her needs unless it constitutes overcrowding, there is a State or Local law restricting occupancy, or underutilization of the unit would occur):

<u>Bedroom/Sleeping Area</u>	<u>Minimum Occupancy</u>	<u>Maximum Occupancy</u>
1	1	2
2	2	4
3	3	6

The number of occupants listed above must be in accordance with occupancy standards based upon Local codes and ordinances and HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or HOME Program regulations and each may change from time to time. Occupancy is based on the number of persons in the household, and is based on counting all full-time members of a household, dependent minors who are away at school but live with the applicant at recess, unborn children or children in the process of being adopted or secured by custody action, foster children and live-in attendants. Children who live in a household fifty percent (50%) of the year or more are also counted toward the total household number. However, visitors, permanently confined/institutionalized household members and children on active military duty are not counted in this determination for occupancy eligibility.

Single persons are eligible families (if they meet all eligibility criteria for the property). However, single persons may not be placed on the two (2) bedroom waiting list or occupy a unit with two (2) bedrooms except a person with a disability who needs the larger unit as a reasonable accommodation or an elderly person who has a verifiable need for a larger unit. Also a displaced person may be placed on the waiting list for a two (2) bedroom unit if no one (1) bedroom unit is available.

Owner/Manager may change the occupancy limit during the lease term if changes in laws, ordinances or regulations make such change necessary. The minimum occupancy limit will correspond to the number of bedrooms/sleeping areas. The maximum occupancy limit will depend on local ordinances and regulations and the square footage of useable sleeping areas as defined by code and suggested program regulations. Notwithstanding the above, Owner/Manager shall have the right to make reasonable accommodations for individuals with disabilities and may adjust occupancy limits to further the goal of reasonable accommodation.

All households must provide positive identification of all persons who will be part of the entire household. Adoption or the custody in process must have written documentation. Pregnant women will not be required to undergo medical testing to determine whether she is pregnant in order to assign a unit with the appropriate number of bedrooms/sleeping areas.

An eligible household may elect to be on a specific project waiting list for more than one (1) unit size. Once applicant is housed in a unit, the applicant will be removed from the waiting list for other sized units for the particular project.

If the head of household (who has no spouse or additional adult member of the household residing with him/her) is confined to a nursing home or hospital on a temporary basis, the Owner/Manager will not file for eviction of the tenant. A temporary basis is considered six (6) months or less.

H. STANDARDS FOR REJECTION

Failure of any one (1) category is sufficient reason for rejection of the applicant. The following standards shall be used to evaluate whether or not an applicant shall be accepted for occupancy:

- History of evictions.

- Substantial risk that the applicant shall be unable or unwilling to pay rent, including a chronic history of late payment or non-payment of rent or non-payment of other financial obligations.
- Substantial risk that the applicant or those under the applicant's control shall interfere with the health, safety, security and the right to peaceful enjoyment of the resident community, including violation of the terms of current or previous lease agreements, failure to maintain a unit in sanitary condition, current use of illegal drugs, conviction for drug manufacture, sale, distribution or other drug-related criminal activity, violent criminal activity and other criminal activity.
- Substantial risk of intentional damage or destruction to the unit and surrounding premises by the applicant or those under the applicant's control.
- Any misrepresentation of any information on the application or at the interview. If misrepresentations are found after a lease agreement has been executed, management reserves the right to use all administrative remedies at its disposal.
- Eviction from Federally-assisted housing for drug-related criminal activity.
- A life-time registration requirement under a state sex offender registration program.
- Substantial risk that there is reasonable cause to believe that there is abuse or a pattern of abuse of alcohol that would interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Applicant's household does not comply with the occupancy standards for the project based on the size of the unit, the size of the bedroom/sleeping area and the number of bedrooms/sleeping areas.
- Applicants who do not possess legal capacity to sign documents cannot become tenants or co-tenants.
- Any application which is incomplete will not be processed.
- Refusal to sign release to allow verification of information related to eligibility, references, etc., shall be grounds for rejection.
- Applicants who do not meet HUD income limits for a property shall be rejected unless permission to rent to income ineligibles is in process or has been received from HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program.
- Applicants with negative credit, personal, landlord or criminal references shall be rejected.

In making determination relative to rejecting an application, the following considerations will be made:

1. The possible biases, attitudes and motives of all references and sources of information will be considered.
2. All information used in consideration of an applicant will be current. The possibility of mitigating factors and the possibility of changes in the applicant's behavior will be considered in every case.
3. Consideration will be given to the applicant's present shelter cost-income ratio and whether the rent level for the unit for which the applicant is applying would help eliminate present financial hardship when judging an applicant's payment record or credit report.

4. The Owner/Agent will comply with the Violence Against Women Act (VAWA). See Section P for additional information. Provisions in the act protect victims of domestic violence, dating violence, sexual assault and stalking from eviction and denial of housing assistance solely because of the domestic violence. Eviction from a previous residence due to being a victim of domestic violence cannot be considered as a cause for denial of assistance. Immediate family members are also covered by the Act. "Immediate family member" includes all persons living in the unit who are related to the victim by blood or marriage; it also includes the victim's spouse, parent, brother, sister, child or a person or organization that has legal responsibility for the victim (loco parentis) when these people are living elsewhere.
5. In all cases where potential applicants are rejected for selection, the Property Manager shall issue a written notice of decision which specifies the reason for rejection.
6. If the rejection is based on a report from a credit reporting agency, the applicant may request the name of the agency providing the credit information. The Agent will provide the name of the agency but not the actual report itself.
7. All eligibility factors shall be verified in writing and documented in the file.
 - a. If an Agent determines that an applicant is ineligible because of family composition, because his or her income exceeds the appropriate income limits, because the applicant's family composition is not suitable for the size of units available, or because the applicant does not meet the Agent's resident selection criteria (e.g. poor rent-paying history, negative evaluations from prior landlords, poor credit, etc.) the Agent shall promptly notify the applicant in writing of that determination. The notice shall explain why the applicant is not being admitted to the project and advise the applicant that he or she may (within 14 days receipt of the notice) respond in writing or request to meet with project management to discuss the notice. The notice shall also inform the applicant that responding to the Agent's notice does not preclude the applicant from exercising other avenues available if he or she believes that he or she is being discriminated against on the basis of race, color, religion, sex, national origin, disability and/or familial status. The meeting or the review of the applicant's written response will be conducted by the Executive Director of the management agent.
 - b. If the applicant responds in writing, and after a meeting is held, the Agent shall advise the applicant in writing whether or not the Agent's position has changed. The Agent shall do so within five (5) days of the date the meeting was held.
 - c. The Agent is required to maintain the application, the Agent's notice of non-acceptance, any applicant's reply and the Agent's final response for a period of not less than three (3) years. The file shall also contain all interview and verified information on which the determination of eligibility/non-acceptance was based. The file shall be maintained in a manner which respects the applicant's right to privacy.
8. Any applicant who is selected but does not accept tenancy for reasons other than medical, emergency, or need for subsidy that is currently not available shall be removed from the waiting list. The waiting list is updated, at the minimum, on a yearly basis to establish continued eligibility, to remove those determined ineligible, and/or to reclassify those with changed status.
9. The Agent will not lease to anyone who cannot pay in advance the required rents, fees and deposits (except as noted in Section E) for the required monthly period. Vouchers from agencies with approved prior arrangements with the Agent will be accepted in lieu of payment from the applicant and/or tenant.

Current or potential income sources need not be steady. A prospective tenant who has a known history of supporting him or herself through casual labor, for example, will be considered.

For applicants not receiving rental assistance, the ability to pay rent is particularly important since they will most likely be paying more than thirty percent (30%) of their income for rent. Generally, for those applicants, their income must be such that they will not pay more than forty percent (40%) of it for rent in order to be considered eligible for occupancy. However, if an applicant would be paying more than forty percent (40%) of their income for rent, but has a demonstrated history of being a responsible tenant who has paid rent on time, the Agent will not necessarily reject that applicant.

Primary responsibility for screening applications shall rest with the Property Manager. The Property Manager will accept applications and obtain income documentation, credit reports and previous landlord verifications and criminal reports.

The Property Manager will inform all applicants of the availability of pre-rental workshops offered by the Housing Alliance of York. This four-part workshop series covers topics including landlord/tenants' rights and responsibilities, budgeting, fair housing law and utilizing community resources (i.e. entitlement programs, fuel and rental assistance, employment and job training, free or low-cost food, clothing and household furnishings).

The Property Manager may also confer with agencies or organizations that have referred applicants for consideration, including the Housing Alliance of York. These contacts would be initiated in cases where preliminary credit reports, landlord verifications or other indicators used for screening applicants may include negative information. In many cases, potential residents may have experienced problems or crises in their life which led them to avoid their credit obligations or responsibilities as tenants, i.e. substance abuse, mental illness, incarceration. However, referring agencies may be able to document that these applicants have successfully participated in treatment programs or have established recent credit/tenant histories which might qualify them for residency.

I. **MINIMUM RENT (This section does not apply to applicants/tenants who will not be receiving rental assistance. It also does not apply to applicants/tenants of Green Meadow Apartments.**

All tenant households shall be charged a minimum monthly rent of no less than \$25.

1. The Agent shall waive the minimum monthly rent requirement to any tenant household unable to pay due to financial hardships. The financial hardship exemption constitutes the only statutory exemption and includes these hardship situations:
 - a. The tenant household has lost Federal, State or Local government assistance or is waiting for eligibility determination (including legal immigrants);
 - b. The tenant household would be evicted if the minimum rent requirement was imposed;
 - c. The tenant household's income had decreased due to a change in circumstances, including, but not limited to, loss of employment;
 - d. A death in the immediate family;
 - e. Other situations as may be determined by the Agent or HUD.
2. Upon a tenant's request for hardship exception, the Agent should waive the minimum rent charge beginning the month that immediately follows the date that the tenant made the request. The Agent may request reasonable documentation of hardship in order to determine whether there is a hardship and whether it is of a temporary or long-term nature. This determination shall be done in a prompt and timely manner. It is expected that this determination should be done in one (1) week.

- a. If the Agent determines that there is no hardship covered by statute, the Agent shall immediately reinstate the minimum rent requirements.

The tenant is responsible for any minimum rent that was not paid from the date the minimum rent was suspended. The Agent shall not evict the tenant for non-payment of rent during the time in which it takes the Owner to make the hardship determination. A reasonable payment agreement shall be offered for any minimum rent back-payment by the tenant.

- b. If it is determined that the hardship is of a temporary nature, the minimum rent shall not be imposed for a ninety (90) day period from the date of the suspension. At the end of the ninety (90) day period, the tenant shall be responsible for the minimum rent which shall be imposed retroactively to the initial date of suspension. The tenant cannot be evicted for non-payment of rent during the time in which it takes to make the hardship determination or during the ninety (90) day grace period. A reasonable repayment agreement must be offered for any back-payment by the tenant.
- c. If the nature of the hardship is determined to be long-term, the Agent shall exempt the tenant from the minimum rent required from the date the suspension was granted until such a time that the hardship no longer exists.
- d. The Agent shall maintain documentation of all determinations regarding requests for hardship exceptions.

3. Implementation of a long-term suspension of minimum rent requirement shall be treated as an interim recertification. The tenant must complete the appropriate recertification documents.

J. ADDITIONS TO THE HOUSEHOLD

Existing tenants cannot move-in additional members to their household without the written permission of Management. Management may add additional members to the Lease, but reserves the right to refuse admission.

Management will use the screening procedures stated in section F when considering a request for an addition to the tenant's household.

This provision does not apply to additions to the household as a result of birth of a child, adoption of a child, placement of a child through foster care, or a formal written child custody agreement. However, the occupancy standards listed herein will continue to apply.

Please Note: Both **Cloverfield and Kingston House Apartments** are HUD Section 202/8 projects. As such, an adult child may not move into a unit after initial occupancy unless he/she is performing the functions of and is classified as a live-in aide. This adult child will not be entitled to stay in the unit if the tenant moves out or dies; and all income must be counted. If the tenant wishes for an adult member (other than his/her adult child) be moved into the unit after initial occupancy, the adult member can only be moved in if he/she is performing the functions of and is classified as a live in aide. This adult member will not be entitled to stay in the unit if the tenant moves out or dies; and the adult member's income is not counted. In either scenario mentioned, existing tenants cannot move-in additional members to their household without the written permission of Management.

K. UNIT TRANSFERS

Ordinarily, tenants are not permitted to transfer from one unit to another, except to comply with occupancy standards or to accommodate tenants who may need a transfer for a medical reason or need an accessible unit. If a tenant household is being moved to a different unit as a reasonable accommodation to a household member's disability, then the Owner must pay for the move unless doing so would constitute an undue financial and administrative burden; otherwise any costs associated with the transfer shall be the responsibility of the tenant.

For units with rental assistance, whenever there is a change in the size of a resident family or a change in the family's composition, and a new unit is needed to comply with the recommended occupancy standards, the resident will be required to transfer to the next available unit that is suitable in size. If the family refuses to transfer after a suitably sized unit has been offered to them, they will be required to pay the full market rent (as approved by HUD, USDA Rural Development, Federal Low Income Housing Tax Credit Program and/or the HOME Program) for the unit in which they reside. The vacant, available unit will then be offered to the next eligible household on the project waiting list.

If a tenant provides appropriate and adequate documentation requesting a transfer for medical reasons or for an accessible unit, Management shall advise the tenant accordingly. When Management has an approved tenant transfer request on record, the first opportunity to lease an appropriate, vacant unit shall be given to the tenant. If the tenant refuses the unit transfer, a new tenant shall be processed from the waiting list.

L. DRUG-FREE HOUSING

The following points shall be reviewed with each applicant:

1. Applicant, any member of a tenant's household, or a guest or other person under the tenant's control shall not engage in criminal activity, including drug-related criminal activity, on or near housing premises. "Drug-related criminal activity" means the illegal manufacture, sale, distribution, use or possession with the intent to manufacture, sell, distribute, or use of a controlled substance (as defined in section 102 of the Controlled Substances Act [21 U.S.C. 802]).
2. Applicant, any member of the applicant's household, or a guest or other person under the tenant's control shall not engage in any act intended to facilitate criminal activity, including drug-related criminal activity, on or near housing premises.
3. Applicant or members of the household will not permit the dwelling unit to be used for, or to facilitate, criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household or a guest.
4. Applicant or member of the household will not engage in the manufacture, sale or distribution of illegal drugs at any location, whether on or near housing premises or otherwise.
5. Applicant, any member of the tenant's household, or a guest or other person under the tenant's control shall not engage in acts of violence or threats of violence, including, but not limited to, the unlawful discharge of firearms, on or near housing premises.
6. Criminal activity, including the manufacture, sale or use of illegal drugs by applicant or by members of the household is grounds for rejection of the application. Such criminal activity may violate the lease provision and demonstrate adequate cause for termination of the process.

7. An apartment in any housing project managed by the Agent shall be used as a private dwelling for the individual(s) listed on the program certification form or other occupants approved in advance by the landlord. Use of said unit by the tenant or members of that household for drug use/sale violates the lease provision against use of the unit for purposes other than as a private dwelling.

M. SECTION 504 AND FAIR HOUSING ACT COMPLIANCE

1. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance from HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program. The Fair Housing Act prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability and familial status. It applies to housing, regardless of the presence of federal financial assistance. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or natural origin in any program or activity receiving federal financial assistance from HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program. The Commonwealth of Pennsylvania and the City of York have fair housing laws which are substantially equivalent to the Fair Housing Act but also provide additional protection for other classes.
2. All marketing, tenant selection, program delivery and residential management policies and procedures shall be conducted in accordance with these laws.
3. Necessary modifications shall be made to policies and practices so they do not discriminate against persons with disabilities.
4. Appropriate steps to ensure effective communication with applicants, tenants and the public shall take place. The determination as to what alterations and auxiliary aids are necessary shall be based upon requests by persons with disabilities.
5. Requests from applicants and tenants with disabilities for reasonable accommodations shall be processed. Currently, services and programs are available in accessible buildings, and the minimum number of accessible units is available.
6. A Section 504 Coordinated has been designated by the Owner.
7. Complaints should be directed to the HUD Regional Office of Fair Housing and Equal Opportunity (FHEO). The Owner will provide the complainant with FHEO's pamphlet, Fair Housing-It's Your Right (HUD-1686-FHEO, March 2001).

N. IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)

Executive Order (E.O.) 13166 requires Federal agencies and grantees to take affirmative steps to communicate with persons who need services or information in a language other than English.

The Owner/Manager will take reasonable steps to ensure meaningful access to the information and services we provide for persons with LEP. This may include interpreter services and/or written materials translated into other languages.

HUD specific LEP Guidance, "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" was published in the Federal Register on January 22, 2007."

O. ENTERPRISE INCOME VERIFICATION (EIV) SYSTEM (This section does not apply to applicants and tenants of Green Meadow Apartments (no HUD subsidy involved) and Dutch Kitchen SRO (no direct HUD subsidy involved)).

HUD provides the Owner/Agent with information about an applicant's current status as a HUD housing assistance recipient. The Owner/Agent will use the Enterprise Income Verification System (EIV) to determine if the applicant or any member of the applicant household is currently receiving HUD assistance. Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin (please also see Resident Eligibility Factors, item #9 for more wording on single residence criteria). Special consideration applies to minor children where both parents share 50% custody.

If the applicant or any member of the applicant household fails to fully and accurately disclose rental history, the application may be denied based on the applicant's "misrepresentation" of information.

P. VIOLENCE AGAINST WOMEN ACT (VAWA)

The Violence Against Women Act was promoted for a noble cause to make the lives of victims of abuse easier and to prevent homelessness. Some key points provided in the Act include:

1. A potential resident who certifies they were the victim of domestic violence may be allowed to be admitted even with poor credit and poor landlord evaluations if he/she can show these negative factors were caused by domestic violence.
2. It assured the victims of domestic violence, sexual assault, etc., can have access to the criminal justice system without facing eviction.
3. Where someone is abuse to other members of the household, only the abuser may be evicted.
4. Residents in assisted housing facing violence may be allowed early lease termination for a matter of safety.

In accordance with VAWA, the Owner/Agent will not penalize victims of domestic violence, stalking, dating violence or rape if the incident under review is a direct result of such abuse. Victims must certify their status as victims and that the incident in question was a bona fide incident of domestic violence by presenting appropriate documentation to the Owner/Agent. Nothing prevents a victim who has committed a crime or violated a lease from being denied, evicted or terminated.

The Resident Selection Plan will be reviewed at least annually to ensure that current operating practices, program priorities and program requirements (as stipulated by HUD, USDA Rural Development, Federal Low Income Housing Tax Credit and/or the HOME Program) are included. Any changes to the Resident Selection Plan will be summarized and provided in written form to all tenants. The Owner will notify applicants during the screening process and tenants annually at recertification that the Resident Selection Plan exists and is available to them. The Resident Selection Plan, when requested, is also available to the public.

Attachment A

Resident Selection Plan Delphia Management Corporation

The properties managed by Delphia Management Corporation that are covered under this Resident Selection Plan are:

Site	Location	Mailing Address	Telephone Number
Cloverfield Apartments	1500 Rodney Road, York, PA	1500 Rodney Road, York, PA 17408	717-764-5464 717-764-5464 Fax
The Delphia House Apartments	350 East Philadelphia Street, York, PA	350 East Philadelphia Street, York, PA 17403	717-843-1064 717-854-0971 Fax
Dutch Kitchen	381 West Market Street, York, PA	381 West Market Street, York, PA 17401	717-848-5281 717-854-0343 Fax
George Street Apartments	118 North George Street, York, PA	118 North George Street, York, PA 17401	717-846-5139 717-854-9494 Fax
Green Meadow Apartments	20 Beaver Street, Dillsburg, PA	20 Beaver Street, Dillsburg, PA 17019	717-432-2556 717-502-1586 Fax
Highland Manor Apartments	36 Highland Manor Drive, Stewartstown, PA	36 Highland Manor Drive, Stewartstown, PA 17363	717-993-6541 717-993-6541 Fax
King Street Apartments	312, 314 and 334 East King Street, York, PA	118 North George Street, York, PA 17401	717-846-5139 717-854-9494 Fax
Kingston House Apartments	1243 West King Street, York, PA	1243 West King Street, York, PA 17404	717-848-2927 717-848-2716 Fax
Liberty Apartments	37 East Philadelphia Street, York, PA	118 North George Street, York, PA 17401	717-846-5139 717-854-9494 Fax
Mount Rose Avenue Apartments	1627, 1629, 1631 and 1633 Mount Rose Avenue, York, PA	118 North George Street, York, PA 17401	717-846-5139 717-854-9494 Fax

The TDD number for all locations is 1-800-654-5984.

Delphia Management Corporation's offices are located at 118 North George Street, York, PA 17401 (717-846-5139). Additional information on Delphia Management Corporation and the properties managed can be found at www.yadc.net.

Attachment B

Resident Selection Plan Delphia Management Corporation

Exceptions for the Dutch Kitchen SRO

D. PRIORITIES AND PREFERENCES

The Housing Authority gives preferences to applicants for Section 8 in accordance with its tenant selection policies approved by HUD. However, because the Dutch Kitchen SRO is a unique situation, the Housing Authority will establish a separate waiting list for this project and will give preference to the homeless over the other Federal preferences.

One of the preferences established by the Housing Authority is for those applicants presently living in substandard housing. Homeless persons are defined in the HUD regulation as living in substandard housing. Certification of homelessness will be required from a public or private shelter, local police or social service agency.

After all homeless preference applicants have been verified as being eligible, all other single person applicants will be processed to determine eligibility and those eligible will be added to the waiting list and referred to the Management Agent by the Housing Authority. The waiting list will be developed in compliance with the Fair Housing laws of the United States, State and Local Government. The Housing Authority will process applications from other persons using the following preferences:

1. Persons displaced by natural disaster whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to federal disaster relief laws.
2. Persons displaced by urban renewal or other government action.
3. In units designed for disabled tenants, preference will be given to those persons requiring such units.
4. Those presently living in substandard housing. A substandard housing unit is substandard if it
 - is dilapidated;
 - does not have operable indoor plumbing;
 - does not have a usable flush toilet or bathtub or shower inside the unit for the exclusive use of a family;
 - does not have electricity or has inadequate or unsafe electrical service;
 - should have, but does not have, a kitchen; and/or
 - has been declared unfit for habitation by an agency of the government.

Substandard Housing Certification is a form prescribed by HUD from a government agency or applicant's landlord that the unit is substandard.

5. Those currently paying more than fifty percent (50%) of gross monthly income for rent and utilities.
 - a. Gross monthly income is one-twelfth (1/12) of annual income as defined for the Section 8 and public housing programs.
 - b. Rent is the actual amount due on a monthly basis under a lease or occupancy agreement with the family's current landlord. Utilities are utilities purchased directly by residents (excluding telephone) from utilities suppliers.
 - c. An applicant whose housing assistance was terminated in accordance with program requirements does not qualify for a federal preference of paying more than fifty percent (50%) of income for rent.

Attachment B

Exceptions for the Dutch Kitchen SRO

Income is verified in accordance with existing procedure use in Section 8 and public housing programs. Rent is verified by rent receipts, cancelled checks or money orders or contacting the landlord. Utilities are verified by copies of bills and/or receipts or contacting utility suppliers. The Section 8 Existing Housing utility allowances may be used to determine utility costs.

6. Those who have been involuntarily displaced – an applicant has or will have to vacate his or her unit due to:
 - a. A disaster such as fire or flood that makes the unit uninhabitable.
 - b. Activity by a government agency such as code enforcement or public improvement.
 - c. Actions by the housing owner that are beyond the applicant's ability to control or prevent, such as conversion to non-rental use. The action occurs despite the applicant having met all previous conditions of occupancy and the action is other than a rent increase.
 - d. Actual or threatened physical violence against the applicant or applicant's family by a spouse or other household member.
 - e. If the applicant is re-housed in standard replacement housing, they do not qualify for the preference. Applicants evicted for cause do not qualify.

Involuntarily Displaced Certification is a form prescribed by HUD from a government agency or applicant's landlord that the applicant has or will be involuntarily displaced. In the case of domestic violence, certification is needed from local police, social service agency, court, clergy, physician or shelter counseling agency.

The Housing Authority informs all applicants, including those on the waiting list, of the availability of the federal preferences. At the time of application, the applicant certifies his or her eligibility for a federal preference. Verification of preference eligibility is done prior to providing housing assistance to the applicant.

The system for applying the preference provides that an applicant who qualifies for any of the federal preferences receives assistance before any applicant who does not qualify for a federal preference, regardless of place on the waiting list at time of application. In applying the preferences, the Housing Authority will treat homelessness greater than all other preferences.

If the Housing Authority determines an applicant does not qualify for a federal preference, the applicant must be notified in writing and given the opportunity to meet with the Housing Authority.

Attachment C

Resident Selection Plan Delphia Management Corporation

Required Documentation (Citizen and/or Non-Citizen Eligibility)

From U.S. Citizens – In addition to a signed declaration of Citizenship,

The following documents will be accepted:

- United States (U.S.) Passport
- U.S. Naturalization Certification issued by U.S. Citizenship & Immigration Services (USCIS)
- Certification of Citizenship issued by USCIS

The following documents will be accepted when proof of identify is **also** provided:

- U.S. Birth Certificate
- Certification or Report of Birth Abroad issued by USCIS or the State Department
- U.S. Citizen ID card issued by USCIS
- American Indian card issued by USCIS for the Kickapoo Tribe
- Final Adoption Decree
- Evidence of Civil Service employment by U.S. Government by 6/1/1976
- Official Military Record of Service showing U.S. place of birth (i.e. a DD-214)
- Northern Mariana ID card issued by USCIS to a naturalized citizen born before 11/4/1986
- Extract of U.S. hospital birth record established at the time of birth
- Life, health, or other insurance record showing U.S. place of birth
- Census records showing U.S. place of birth
- Nursing home records, medical records, or other documents showing U.S. place of birth created at least five (5) years before initial AHCCCS application date
- Bureau of Indian Affairs tribal census records (Navajo & Seneca Tribes only)
- Written affidavit (see eligibility specialist for details about who/when a member or applicant can use)

Proof of Identify includes:

- Driver's License
- Certain government issued ID cards with photo (if no photo, must include identifying information)
- Tribal government issued ID and documents, including Certificate of Indian Blood
- Day care or nursery record (minors only)
- School record or report card (under 16 only)
- School ID with picture
- U.S. Military ID, U.S. Military Dependent ID or U.S. Military Draft Record (over 16 years only)

From non-citizens claiming eligible status – In addition with a signed declaration of eligible immigration status, and a signed consent form,

The following DHS-approved documents will be accepted:

- Form I-151, Alien Registration Receipt Card (issued to lawful permanent residents prior to 1979)
- Form I-551, Alien Registration Receipt Card (for permanent resident aliens);
- Form I-94, Arrival-Departure Record, with one of the following annotations: (1) "Admitted as Refugee Pursuant to Section 207", (2) "Section 208" or "Asylum", (3) "Section 243(h)" or "Deportation stayed by Attorney General", (4) "Paroled Pursuant to Section 212(d)(5) of the INA"

Attachment C

Required Documentation (Citizen and/or Non-Citizen Eligibility)

- If Form I-94, Arrival-Departure Record, is not annotated, then accompanied by one of the following documents: (1) A final court decision granting asylum (but only if no appeal is taken), (2) A letter from an INS asylum officer granting asylum (if application is filed on or after October 1, 1990) or from an INS district director granting asylum (if application filed before October 1, 1990), (3) A court decision granting withholding or deportation; or (4) A letter from an asylum officer granting withholding or deportation (if application filed on or after October 1, 1990)
- Form I-688, Temporary Resident Card, which must be annotated "Section 245A" or "Section 210"
- Form I-688B, Employment Authorization Card, which must be annotated "Provision of Law 274a.12(11)" or "Provision of Law 274a.12"
- A receipt issued by the INS indicating that an application for issuance of a replacement document in one of the above-listed categories has been made and the applicant's entitlement to the document has been verified;
- If other documents are determined by the INS to constitute acceptable evidence of eligible immigration status, they will be announced by notice published in the Federal Register