

Tenant Selection Plan

594 West Princess Street
City of York, PA

April 2017

Redevelopment Authority of York – Owner

Delphia Management Corporation – Managing Assistant (MA)

Tenant Selection Plan

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TENANT SELECTION PLAN AND CRITERIA

594 W. Princess Street, York PA – Two – 2 bedroom Apartments

This tenant selection criteria shall be used for 594 W. Princess St., York PA. The policy of the Owner/Management Assistant 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, familial status, gender identity and sexual orientation. Applicants must meet all applicable U.S. Department of Housing and Urban Development (HUD) guidelines as well as Owner/Management Assistant tenant selection requirements to gain admission to a property rented or managed by the Owner/Management Assistant.

Tenant selection criteria for the Federal HOME Investment Partnership Program (HOME) is used for the apartments in the site.

A. APPLICATION

This site is marketed at least once per year, if not more frequently, using all advertising and community contacts as set forth on the Affirmative Fair Housing Marketing Plan. All persons interested in any property rented or managed by the Management Assistant (hereafter references as MA) may request an application either in person (or through a designated individual) at the MA's main office, 118 North George Street, York, Pennsylvania, or at the Dutch Kitchen, located at 381 W. Market Street, York (enter off Penn Street entrance) during posted office hours. Applications may be requested to be mailed by calling the telephone number at either the Dutch Kitchen or main office. FAX requests for applications may be sent. Applications will also be available through the MA's website – www.yorkareahq.org. TDD telecommunication is available by calling the TDD number (1-800-654-5984). Applications are available even if a sizeable waiting list exists.

Site Information:

- 594 West Princess Street, York PA 17404 (no office at this location) – telephone: Delphia Management Corporation – telephone 717-846-5139, fax 717-854-9494; or, 717-846-5281, fax: 717-854-0343, which is the Dutch Kitchen.

An application must be completed in full by the applicant and submitted either in person or by mail to the Delphia Management Corporation, 118 N. George Street, York PA 17401. 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 MA'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 MA 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 MA references for selection or rejection.

Notices will be mailed to the first two (2) to five (5) applicants on the list 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 MA 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 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.

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 inclusive of date and time, name, address, and telephone number of applicant, income, and final tracking status (i.e. selection, rejection, cancellation, etc.). Any applicant may request information on current status by writing (mail or email) or calling the manager at the Dutch Kitchen (see page 1).
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 program;
 - b. The applicant fails to respond to a written notice for an eligibility interview as detailed in Section A.
 - c. If an applicant on the waiting list is offered an apartment and refuses the offered apartment, he/she may remain on the waiting list if the refusal is for a verifiable medical reason. Any other refusal reasons are considered valid reasons for refusal at Owner/MA's discretion. In any event, a second refusal, for any reason other than one due to a disability, will cause the application to be rejected and the applicant's name removed from the waiting list. This applicant may reapply in the future.
 - 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. It is discovered that the applicant provided false information;
 - f. 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 the policy of the Owner/MA not to close the waiting list. 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.

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 (HOME) Program and/or Owner's Management policies.
3. All applicants must be 18 years of age or older, are eligible.

4. Citizen/Immigration Requirements: (This section does not apply to applicants who will not be receiving rental assistance.)

Section 214 – Restriction on Assistance to Non-Citizens: By law, only U.S. Citizens and eligible non-citizens may benefit from federal rental assistance. Compliance with these rules ensures that only eligible families receive subsidy. These requirements apply to families making application to either property, families on the waiting list for either property, and existing tenants of both properties.

- 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) Citizenship Declaration (Each household member listed must complete.)
 - 2) 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 Multifamily Systematic Alien Verification for Entitlements (SAVE) and/or through the use of a Document Verification Request, Form G-845S.
- h. 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.

- i. 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.

5. Social Security Number Requirements

All household members are required to provide a Social Security Number and adequate documentation necessary to verify that number. This rule applies to all household members including live-in aides, foster children and foster adults. Adequate documentation includes a Social Security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN such as:

- | | |
|---|---|
| <input type="checkbox"/> Original Social Security Card | <input type="checkbox"/> Driver's license with SSN |
| <input type="checkbox"/> Identification card issued by a federal, State, or local agency, a medical insurance provider, or an employer or trade union | <input type="checkbox"/> Earnings statements on payroll stubs |
| <input type="checkbox"/> Life Insurance Policy | <input type="checkbox"/> Bank Statement |
| | <input type="checkbox"/> Form 1099 |
| | <input type="checkbox"/> Retirement benefit letter |
| | <input type="checkbox"/> Court records |

Exceptions to Disclosure of Social Security Number

The Social Security Number Requirements do not apply to:

- a. Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010.
- b. Individuals who do not contend eligible immigration status. When applicants and residents are required to declare their citizenship status, the existing regulations pertaining to proration of assistance or screening for mixed families must continue to be followed.

If, at the time a unit becomes available, all non-exempt household members have not provided adequate documentation necessary to verify Social Security Numbers, the next eligible applicant must be offered the available unit.

All non-exempt household members have ninety (90) days from the date they are first notified that a unit is available to provide documentation necessary to verify the Social Security Numbers. During this 90-day period, the household may retain its place on the waiting list, but will not be considered again until the required documentation is provided.

If, after ninety (90) days, the applicant is unable to disclose/verify the Social Security Numbers of all non-exempt household members, the household will be determined ineligible and removed from the waiting list.

The applicant may apply again, after obtaining the appropriate documentation. The applicant will be placed on the waiting list based on the date and time the new application is received.

For Child under the age of six, who does not have a Social Security Number and is a citizen or an eligible non-citizen

For a new move in or initial certification, when an owner/MA is made aware that a child under the age of six is included as part of the household, the household is NOT ELIGIBLE if the child was added to the household more than six months prior to the move-in/initial certification effective date and does not have a valid SSN or documentation to verify the SSN and the household claims the child is an eligible US Citizen or eligible non-citizen. In this case, the owner/MA is prohibited from starting subsidy with a Move in or Initial certification transaction.

For a new move in or interim certification, the household IS ELIGIBLE even if the child does not have a valid SSN or there is not adequate documentation to verify the SSN as long as the child was added to the household within six months of the move-in/initial certification effective date.

Secondary Verification of the Social Security Number

The Social Security Number provided may be compared to the information recorded in the Social Security Administration database through HUD's Enterprise Income Verification System (EIV) to ensure that the Social Security Number, birth date and last name match.

If EIV returns an error that cannot be explained or resolved, assistance and/or tenancy may be terminated and any assistance paid in error must be returned to HUD. If the applicant/resident deliberately provides an inaccurate Social Security Number, the owner/MA and/or HUD may pursue additional penalties due to attempted fraud.

6. Applicants must have a gross income equal to or below eighty percent (80%) of the area-wide median income for York, adjusted for household size.

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 MA with information about their income and assets as derived from any source. The MA will verify all income and assets.

7. The unit must be the individual's only residence. Assistance may not be provided to individuals who will maintain another residence in addition to 594-596 W. Princess St., York.
8. The applicant must meet the economic criteria established for the program in question.
9. The applicant must meet any preference requirements, where applicable, and any tenant selection criteria.
10. The applicant must have the legal capacity to enter into a lease agreement and must sign an Authorization for Release of Information form prior to entering into the lease agreement.
11. The Scattered sites will have a mixture of Section 8 and non-Section 8 assisted tenants.
12. Income is verified in accordance with existing procedure used 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.

D. PROCESSING STEPS

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

Applicants must meet application, interview and reference criteria in addition to HOME program and occupancy policy requirements. In completing the application, all applicants must sign the release form allowing the MA to verify all income, assets and allowances along with credit, personal, criminal (including sexual offender registration status) and landlord references. In addition, the MA 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.

All marketing and intake must be in compliance with the Affirmative Fair Housing Marketing Plan. 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, familial status, or sexual orientation. 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 TENANT 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 the City and/or HUD.

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.

With assistance from the MA, the Owner is responsible for accepting and rejecting applicants.

The processing sheet/waiting list will be maintained on a first-come, first-served basis.

E. RESIDENT SELECTION

The resident selection procedure applies to all applicants. The resident selection procedure shall be in compliance with Fair Housing and Equal Opportunity requirements. The MA 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/MA 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. Criminal screening, including screening for sexual offender registration status, will be conducted annually at recertification and prior to any eligible unit transfer.

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.

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 MA 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, 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) payments made between 60 – 90 days or two (2) charge-off accounts or any combination of these two (2) will constitute a basis for rejection.

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 MA 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 MA. 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 housing, whether Federally-assisted or non Federally-assisted, 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 MA shall perform the necessary history background checks in Pennsylvania and in any other state where the household members are known to have resided.

If the owner/MA determines that a sex offender is part of the household, the owner/MA will allow the household to remove the sex offender from the application. Removal must be documented using a signed, notarized copy of the owner's form. The household will have ten (10) business days to provide verification that the household member has alternative housing or that the household member has applied for alternative housing. Failure to provide such documentation will result in rejection of the application for all household members. In this case, the owner/MA reserves the right to monitor household composition after move-in. If the owner/MA discovers that a sex offender has moved in to the unit, assistance will be terminated and the household will be evicted in accordance with the HUD requirements. If applicable, any assistance paid-in-error must be returned to HUD.

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 MA 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 and/or eligible unit transfers, verification of criminal and sexual offender registration status will be completed.

An arrest without conviction does not automatically result in a rejection.

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 MA 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 MA to perform a home visit because of homelessness or extreme distance situations will not necessarily result in rejection of an applicant.

F. OCCUPANCY STANDARDS

Occupancy standards are - No more than 2 persons per bedroom.

A child may share a bedroom/sleeping area with a parent if the parent so wishes.

The number of occupants listed above must be in accordance with occupancy standards based upon local codes and ordinances and/or HUD program guidelines, which 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.

The Owner/MA 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, the Owner/MA 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.

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/MA will not file for eviction of the tenant. A temporary basis is considered six (6) months or less.

G. 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 Federal Low Income Housing Tax Credit income limits for a property shall be rejected unless permission to rent to income ineligibles is in process or has been received from the Federal Low Income Housing Tax Credit 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. 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.
5. 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 MA will provide the name of the agency but not the actual report itself.
6. All eligibility factors shall be verified in writing and documented in the file.
 - a. If an MA 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 MA's resident selection criteria (e.g. poor rent-paying history, negative evaluations from prior landlords, poor credit,

etc.) the promptly notify the Owner, who 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 to request to meet to discuss the notice. The notice shall also inform the applicant that responding to the Owner'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, sexual orientation and/or familial status. The meeting or the review of the applicant's written response will be conducted by the Executive Director of the MA.

- b. If the applicant responds in writing, and after a meeting is held, the MA shall advise the Owner in writing whether or not the MA believes the Owner's position should change. The Owner shall notify the applicant of a decision within five (5) business days of the date the meeting was held.
 - c. The Owner/MA is required to maintain the application, the Owner/MA's notice of non-acceptance, any applicant's reply and the Owner'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.
7. 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.
8. The Owner/MA 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 Owner/MA 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.

Primary responsibility for screening applications shall rest with the Owner, with assistance by the MA. The MA will accept applications and obtain income documentation, credit reports, previous landlord verifications and criminal reports, etc.

If available in the York area, the MA will inform all applicants of the availability of pre-rental workshops.

The Property Manager may also confer with agencies or organizations that have referred applicants for consideration. 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.

H. ADDITIONS TO THE HOUSEHOLD

Existing tenants cannot move additional members into their household without being approved by management and must be certified to meet income regulations.

I. 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 MA 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.

J. SECTION 504 AND FAIR HOUSING ACT COMPLIANCE

Section 504 prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance.

A Reasonable Accommodation as defined by the Fair Housing Act is any accommodation by management in rules, policies (including acceptance of assistance animals as an exception to a "no pets" rule) and practices of services to give a person with a disability an equal opportunity to use and enjoy a dwelling unit or common space. It is the applicant's/tenant's responsibility to inform the MA of any situation where a Reasonable Accommodation is needed.

Reasonable Accommodations should be submitted in writing. If unable to provide the request in writing, please notify the MA. Reasonable structural modifications to units and/or common areas that are needed by applicants and tenants with disabilities may be approved and funded by the project, unless the modifications would change the fundamental nature of the project or result in undue financial and administrative burdens.

K. 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/MA 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."

L. VIOLENCE AGAINST WOMEN ACT (VAWA)

The Owner/MA adheres to the provisions of the Violence Against Women Reauthorization Act of 2013 (VAWA). *SEE DMC'S VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY Effective 12-15-2016, OR ANY AMENDMENT TO SAID POLICY.*

VAWA Protections

- Being a victim of domestic violence, dating violence, sexual assault, or stalking, as these terms are defined in the law, is not a basis for denial of assistance or admission to assisted housing if the applicant otherwise qualifies for assistance or admission;
- Incidents or threats of domestic violence, dating violence, sexual assault, or stalking will not be construed as serious or repeated violations of the lease or as "good cause" for termination of the assistance, tenancy, or occupancy rights of the victim; and
- Criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of a resident's household or any guest or other person under the resident's control shall not be cause for termination of assistance, tenancy, or occupancy rights if the resident or an affiliated individual of the resident is the victim of the domestic violence, dating violence, sexual assault, or stalking.

The Owner's Rights and Responsibilities

- The Owner/MA may bifurcate a lease for housing in order to evict, remove, or terminate assistance to any individual who is a resident or lawful occupant who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual without evicting, removing, terminating the assistance to, or otherwise penalizing a victim of such violence, who is a resident or lawful occupant.
- If such bifurcation occurs, and the removed resident or lawful occupant was the sole resident eligible to receive housing assistance, the Owner shall provide any remaining resident the opportunity to establish eligibility for this project.
- If the remaining resident cannot establish eligibility, the Owner is required to provide the resident a reasonable time to find new housing or to establish eligibility under another housing program.
- VAWA may not be construed to limit the Owner from honoring various court orders issued to either protect the victim or address the distribution of property in case a household breaks up.
- VAWA does not limit the authority of the Owner from terminating assistance or evicting a resident due to any lease violation unrelated to domestic violence, dating violence, sexual assault, or stalking, provided that the Owner does not subject a resident to a more demanding standard than other residents in determining whether to evict or terminate assistance.

- VAWA may not be construed to limit the authority of the Owner to terminate the assistance of, or evict, any occupant who can be demonstrated to pose an actual and imminent threat to other residents or the property's employees.
- VAWA shall not be construed to supersede any provisions of Federal, State, or local laws that provide greater protection for victims of domestic violence, dating violence, sexual assault, or stalking.

Documentation

The applicant or resident must provide documentation in regards to domestic violence, dating violence, sexual assault, or stalking within fourteen (14) business days after the applicant or resident receives a request in writing for such documentation from the Owner/MA. The fourteen (14) day deadline may be extended at the discretion of the Owner.

Acceptable forms of documentation include the following:

- Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking, form HUD-5380, which can be completed by or on behalf of the victim.
- A document that is signed by the applicant or resident and an employee, MA, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the Applicant or Resident has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, in which the professional states, under penalty of perjury, that he or she believes that the abuse meets the requirements found in VAWA
- A Federal, State, tribal, territorial, or local police report or court record
- A statement or other evidence provided by an applicant or resident, at the discretion of The Delphia House.

Confidentiality Requirements

Any information submitted to the Owner/MA regarding domestic violence, dating violence, sexual assault, or stalking, including the fact that the individual is a victim of such abuse, will be kept confidential and will not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is requested or consented to by the individual in writing, required for use in an eviction proceeding, or otherwise required by applicable law.

If the Owner/MA receives documentation that contains conflicting information, the Owner/MA may require an applicant or resident to submit third-party documentation.

Emergency Transfers

Residents who are victims of domestic violence, dating violence, sexual assault, or stalking must be allowed to transfer to another available and safe dwelling under a covered housing program. The Owner/MA must incorporate reasonable confidentiality measures to ensure that disclosure is not made of the location of the new dwelling unit of a resident to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the resident.

The resident can be granted a transfer only if the resident requests a transfer, and either the resident reasonably believes he or she is threatened with imminent harm from further violence if he or she remains in the unit or if the resident is a sexual assault victim, the sexual assault occurred on the premises during the ninety-day (90-day) period preceding the transfer request. Any transfer is subject to the availability of assisted housing and subject to all other HUD requirements being met.

M. SMOKE FREE HOUSING

Due to the increased risk of fire, and known health effects of secondhand smoke, smoking is prohibited in any area of the property, private, public and common, whether enclosed or outdoors. This policy applies to all owners, property staff, contractors/vendors, applicants, residents, guests, and service providers.

“Smoking” shall include the inhaling, exhaling, or carrying of any lighted cigarette, e-cigarette, personal vaporizer, cigar, pipe, other tobacco product, marijuana including medical marijuana, herbal smoking products, “legal weed” or products known as “bath salts” or other legal or illegal substance.

The Tenant Selection Plan will be reviewed at least annually to ensure that current operating practices, program priorities and program requirements (as stipulated by the HUD’s HOME Program) are included. Any changes to the Tenant Selection Plan will be summarized and provided in written form to all applicants. All applicants will be notified during the screening process, and tenants annually at recertification, that the Tenant Selection Plan exists and is available to them. The Tenant Selection Plan, when requested, is also available to the public.

Attachment A

Tenant Selection Plan For 594 W. Princess Street, York

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 A

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