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### 1. Preface

Encuentro Square II LP is a limited partnership whose purpose is to own and operate Encuentro Square II Apartments ("Encuentro Square II"). The owner has signed a management agreement with Evergreen Real Estate Services LLC to provide property management and regulatory compliance services for Encuentro Square II, which includes marketing for and admissions of qualified residents to reside in the development. The management office is located at 3759 W. Cortland, Chicago, IL 60647.

This Tenant Selection Plan addresses the screening and selection criteria for Encuentro Square II. The property has **67** rental units. Of these there are 15 one-bedrooms, 39 two-bedrooms, and 13 three-bedroom units. The property is designated as "Family" under the U.S. Department of Housing and Urban Development (HUD) guidelines. The units are located in two buildings at 3759 W. Cortland and 1844 N. Ridgeway, Chicago, IL 60647.

Encuentro Square II is funded under the IRS Section 42 Low Income Housing Tax Credit Program (LIHTC). The LIHTC program is administered by the City of Chicago Department of Housing (DOH). The property also has HOME units administered by the US Department of Housing and Urban Development (HUD) and Public Housing units administered by the Chicago Housing Authority (CHA). To be eligible for occupancy the gross annual income for the household must not exceed the maximum area median income (AMI) and household size as defined by HUD. The property utilizes the current HUD definition of 'income' to calculate gross income for an applicant household. Income limits vary by program type and household size. Whichever program income limit is lower, by default, becomes the income limit for the covered unit. The income limits are available in the Management office for review. The Owner/Agent will provide applicants a copy of the income limits for the property area upon request.



Units in this property are multi-layered with various regulatory programs. Of the **67** units:

**25** units are designated under both the LIHTC and HOME program. To be eligible for the units designated under the LIHTC and HOME program the applicant must qualify for both programs. At this property there are 7 units restricted at 50% AMI identified as LOW HOME and 18 units restricted at 60% AMI identified as HIGH HOME.

**42** units are designated under both the LIHTC and Public Housing Program. To be eligible for the units covered under the LIHTC and Public Housing program the applicant must qualify for both programs. The income limit for the public housing program is 0% to 80% AMI per the CHA guidelines. However, applicant households must have a gross annual income equal to or less than the maximum income limit restriction at 60% AMI to be eligible due to the layering with the LIHTC program. The maximum income limit for the LIHTC program is 60% AMI.

Note:

- (1) The property **does not** accept Housing Choice Vouchers on the 42 units designated under both the LIHTC and public housing program. An applicant with a Voucher would have to forfeit the Voucher prior to move-in before HUD assistance could begin, if accepted as a tenant.

## 2. General Information

These standards and criteria apply uniformly to all apartments. The objectives of this Tenant Selection Plan are:

- A. To implement policies and procedures embodying standards and criteria for resident selection that taken into account the mission of providing low-income housing and a variety of programs and services tailored to meet the needs and interests of elderly persons, disabled persons and low-income families;
- B. To provide a safe, sanitary and comfortable living environment for the resident body as a whole;
- C. To standardize the formulation, interpretation and application of policies and procedures with respect to eligibility and selection standards; and,
- D. To preclude admission of applicant households whose habits and practices reasonably may be expected to have a detrimental effect on other residents, the housing development or neighborhood environment.

### Non-Discrimination

It is the policy of the property and its management to comply with HUD regulations, Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988), Executive Order 11063, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title II of the Americans with Disabilities Act and the Americans with Disabilities Amendment Act, the Violence Against Women Reauthorization Act of 2013, 2016, and 2022, and all applicable state laws and local ordinances including, but not limited to, the Cook County Human Rights Ordinance (Code of Ordinances for Cook County Chapter 42 Article II), the Illinois Human Rights Act (775 ILCS 5/3-101) and the Chicago Human Rights Ordinance, and any other applicable legislation protecting the individual rights of residents, applicant households, or staff which is now or may hereinafter be enacted. To the extent that any provision of this Policy comes into conflict with any applicable law or regulation, the law or regulation shall control.

HUD programs are open to eligible persons regardless of sexual orientation, gender identity or marital status. Property Management will comply with this rule and state and local laws that provide the same or similar protections.

**Note:** The City of Chicago amended its Human Rights and Fair Housing Ordinances to address discrimination targeting current and former members of the military. Effective March 16, 2016 discrimination on the basis of military status is prohibited in the City of Chicago, including military discharge status and extends to individuals who are on active duty or in any reserve component of any branch of state or Federal armed forces, or a veteran thereof.



Property Management shall not, based on race, age (when age eligibility is not a factor), color, ancestry, sex, religion, sexual orientation, gender identity, marital status, parental status, housing status, order of protection status, source of income, disability, familial status, military discharge status, national origin, or other protected classes under state or local laws:

- A. Deny to any person the opportunity to apply for housing, nor deny to any eligible applicant household the opportunity to lease housing suitable to their needs;
- B. Provide housing which is different than provided by others;
- C. Subject a person to segregation or disparate treatment;
- D. Restrict a person's access to any benefit enjoyed by others in connection with the housing program;
- E. Deny a person access to the same level of services; or
- F. Coerce, intimidate, threaten, or interfere with a person's exercise or enjoyment of any Fair Housing right.

Owners and operators of HUD-assisted housing, or housing whose financing is insured by HUD, must make housing available without regard to sexual orientation, gender identity, or marital status.

All otherwise eligible families, regardless of marital status, sexual orientation, or gender identity, will have the opportunity to participate in HUD programs.

Owners and operators of HUD-assisted housing or housing insured by HUD are prohibited from asking about an applicant or occupant's sexual orientation and gender identity for the purpose of determining eligibility or otherwise making housing available.

Should an applicant household or resident think that discrimination has occurred related to their application or to residency, this should be brought to the attention of the management agent for investigation. The applicant household or resident is, also, able to file a discrimination complaint with the HUD and/or any applicable city or state department that administers fair housing matters. Management will provide the applicant household or resident a copy of FHEO's pamphlet, Fair Housing – It's Your Right (HUD-1686-FHEO, March 2001), as amended or modified by HUD from time to time, when requested.

#### 504 Statement

Section 504 prohibits discrimination based upon disability in all programs or activities operated by property management, as well as in employment of site staff. Management will operate its programs in the most integrated setting appropriate to the needs of qualified individuals with disabilities. All accessible units will meet the requirements of the Uniform Federal Accessibility Standards (UFAS). In addition, the building will:

- A. Make and pay for reasonable structural modifications to units and/or common areas that are needed by applicant households and residents with disabilities, unless these modifications would change the fundamental nature of the project or result in undue financial and administrative burdens;
- B. Manage the building such that it is not segregated based upon disability or type of disability, unless authorized by federal statute or executive order;
- C. Provide auxiliary aids and services necessary for effective communication with persons with disabilities;
- D. Develop and up-date a Transition Plan to ensure that structural changes are properly implemented to meet program accessibility requirements; and
- E. Perform a self-evaluation of the building's programs and policies to ensure that they do not discriminate based on disability.

The owner/agent has designated a person to address questions or requests regarding the specific needs of residents and applicants with disabilities. This person is referred to as the Section 504 Coordinator.

Section 504 Coordinator: Kyla Johnson

Address: Evergreen Real Estate Services, LLC  
566 W. Lake Street Suite 400 Chicago, IL 60661

Phone: 312-234-9400 TDD/TTY: 7-1-1 National Voice Relay

#### Reasonable Accommodation Policy Statement



A “reasonable accommodation” is defined as a change, exception, or adjustment to a program, service, building, dwelling unit, or workplace that will allow a qualified person with disability to participate fully in a program, take advantage of a service, live in a dwelling unit, or perform a job.

Management will provide the requested accommodation unless doing so would result in a fundamental change in the nature of the program or an undue financial and administrative burden. Requests for reasonable accommodations can be made by the applicant household/resident, family member or other person acting on the disabled person’s behalf. All requests should be made to the Management, in writing or other equally effective means of communication. If assistance is required to make this request, the Manager will be able to offer this assistance. Third-party verification of the need for such a reasonable accommodation will be required.

Management reserves the right to meet the request for reasonable accommodation through other equivalent means. If the requested physical modification does present an undue financial burden for the building, Residents will be permitted to use their own resources to make these modifications. In these situations, if the requested unit modifications, negatively, impact future rental or operation of the unit, management will require that the Resident escrow sufficient funds so that the unit can be returned to its condition prior to the modification having been made. A payment plan for funding such restoration will be negotiated with the Resident, and the funds would be placed into an interest-bearing account, with the interest accruing to the benefit of the Resident. Any remaining balance in this escrow will be refunded to the Resident after the unit has been restored to its original standard.

#### **Lease Requirements**

Management will review the lease and its attachments with all incoming residents. A copy of the lease and its attachments will be given to all residents. These documents outline resident and management rights and responsibilities. Residents are required to fulfill all lease requirements and follow the House Rules. If the resident requires assistance in order to fulfill the lease requirements, i.e., community services or live-in care attendant, the resident is encouraged to seek such assistance. Staff is available to assist the resident household in identifying needed services.

At lease signing, a security deposit (paid in full) in line with HUD (public housing or HOME as applicable) or LIHTC requirements may be required. This property has a no pet policy and as such pet deposits are not applicable.

#### **Affirmative Fair Housing Marketing Plan**

The Affirmative Fair Housing Marketing Plan (AFHMP) is updated every five (5) years. All outreach marketing efforts will be done in accordance with this plan and will meet all fair housing requirements. Outreach marketing will be conducted during initial lease-up and, thereafter, when necessary to maintain a sufficient list of eligible applicant households.

Note: This property is required to comply with the AFHMP requirements of the City of Chicago Department of Housing and the Chicago Housing Authority.

#### **Limited English Proficiency (LEP)**

Management will work with the applicant household or resident to provide HUD-provided documents in their native language if possible. This is to ensure information is communicated in an effective manner. While some documents may be available in languages other than English, English-language documents that must be signed by the applicant household or resident will be in the tenant file, as required by HUD (public housing program or HOME as applicable) and LIHTC guidelines. Those applicant households or residents that need documents in a native language, will be provided those documents, if available from the HUD or FHEO website.

### **3. Preferences**



This property must comply with the Preference System for Admissions as defined by CHA in their Admissions and Continued Occupancy Policy and Administrative Plan for the 42 units designated as part of the public housing program and LIHTC program. There are additional rights and responsibilities for applicants of the public housing program. The preference system for those units will be determined by CHA. As such the preference system and eligibility listed below does not apply to the units designated under the public housing program.

Preferences do not affect eligibility for housing and are not permitted if they any way negate affirmative marketing efforts or fair housing requirements. The preference, if the household is eligible, only affects the order in which the applicant is considered for residency. This property has **three (3) preference categories** as listed below:

### **1<sup>st</sup> priority - Existing Tenant Preferences**

Existing Tenants are given priority to transfer if the following action applies:

- A. Need for an accessible unit
- B. Need for reasonable accommodation
- C. Need for internal / external VAWA Emergency Transfer

### **2<sup>nd</sup> Priority – Accessible Units**

The property provides preference for the accessible apartments to persons with disabilities who require the special design features of those units. Accessible units at this property may be adapted to accommodate persons with mobility, vision, hearing, or other sensory disabilities. Accessible apartments may have the following features:

- Hanging wall sink in bathroom rather than a vanity, allowing individuals confined to wheelchairs easier access to the sink.
- Barrier-free kitchen sink
- Lower cabinets

### **3<sup>rd</sup> Priority – Working Families**

Working Families Preference for applicant households whose family's head-of-household, co-head, or spouse is employed full-time (30 hours per week or more), and who has been employed for at least six (6) months at the time of application, during the verification interview, and at admission, will be provided the benefit of the Working Family Preference. Applicants that meet the working family preference will be selected from the waiting list in the date and time order that they applied. In order for a family to be considered for the Working Family Preference, an applicant must meet the following criteria and provide the required documents listed below:

- A. Must be legitimately employed consecutively for at least six (6) months at the time of application, during the verification interview, and at admission. If there was a change in employers during the previous six (6) months, there is not to be more than a 30-day lapse between employers. In the event of a lapse, employment will be verified by both the current and former employers. "Employed" is defined as working and earning wages. (Note: Self-employment is not taken into consideration for eligibility in meeting the working family preference)
- B. Applicant must provide contact information of current employer and employment status will be verified via 3rd party verification.
- C. Applicant must produce at least six (6) weeks' worth of legitimate pay check stubs from current employer. If a lapse occurred during the required six (6) month employment period, the applicant's lapse in employment cannot be a current situation at the time of the verification interview or at admission.

Applicant must be employed full-time. Full-time is defined as 30 hours or more per week. Head or spouse 62 years of age or older or a person with disabilities is eligible for working family status.

## **4. Extremely-Low Income Procedures (Income Targeting)**

This building **is not** required to follow the HUD Section 8 Program Income Targeting Limits. However, specific public housing program units administered by CHA will meet income targeting requirements in accordance with their Admissions and Continued Occupancy Policy and Administrative Plan.



## 5. Admissions

To apply for housing, applicant households must be age and income qualified as per HUD (public housing or HOME program as applicable) and LIHTC regulations. In addition, every applicant household must meet the tenant selection criteria. Tenant selection criteria is used to demonstrate the applicant household's suitability as a resident using verified information on past behavior to document the applicant household's ability, either alone or with assistance, to comply with the rules governing tenancy.

The property will maintain a Wait List. The Wait List for specific units designated under the LIHTC and HOME program only (no public housing) will be maintained by management. Applicant households are placed on the Wait List on a "first come, first served" basis based on the date and time the application for housing is received by housing management staff. Upon receipt staff will review the application for housing for completeness and preliminary eligibility. Applicant households will be contacted at the time there is an available unit. Final determination of eligibility will be made upon receiving the completed documentation and required release forms from the applicant household and information is verified in accordance with HUD (public housing program or HOME program) and LIHTC guidelines.

Note: The Wait List policy and procedures for specific public housing program units administered by CHA will be governed by their Admissions and Continued Occupancy Policy and Administrative Plan.

Applicant households are placed on the waiting list on a "first come, first served" basis after housing management staff receive, date stamp and determine that the application is complete and, preliminarily eligible. Final determination of eligibility and suitability will be made at the time there is an available unit.

Admission is prohibited if any of the following conditions exist:

- A. Any household member is currently engaging in the illegal use of a drug or drug related criminal activity. Drug related criminal activity includes the possession or use of marijuana of any kind.
- B. Any household member is subject to registration under a state sex offender registration program.

Note: Prohibited conditions for Admission for specific public housing program units administered by CHA will be governed by their Admissions and Continued Occupancy Policy and Administrative Plan.

### Eligibility for Public Housing

For admission to a public housing unit, the applicant household must meet the criteria for both the LIHTC and HUD (public housing program) to include the following:

- A. The applicant household, during the LIHTC compliance period, must meet the income eligibility requirements for admission to the LIHTC units;
- B. The applicant household must qualify for admission as citizens or eligible non-citizens according to HUD guidelines as described in Section #7 of this plan;
- C. The applicant household must provide a social security number for each household member according to HUD guidelines as described in Section #9 of this plan;

Admission will also be based on the other tenant selection criteria as outlined in this plan and the applicant household must continue to meet the HUD (public housing program) and LIHTC eligibility criteria during the length of occupancy. Additional eligibility criteria for specific public housing program units are outlined in the CHA Admissions and Continued Occupancy Policy and Administrative Plan.

### Eligibility for Low Income Housing Tax Credit

For admission to a LIHTC unit the applicant household must meet the criteria for the LIHTC program to include the following:





- A. The applicant household, during the LIHTC program compliance period, must meet the income standards required by DOH under which 67 units must be rented to a household whose gross annual income is equal to or less than 60% AMI at initial occupancy. After initial occupancy the next available unit rule will apply if household gross annual income exceeds 140% of the AMI (as applicable).
- B. The applicant household, during the LIHTC program compliance period, must meet the student status requirements for the program;
- C. The applicant household, during the LIHTC program compliance period, must only maintain one residence and use the unit only as a private dwelling

Admission will also be based on the other tenant selection criteria as outlined in this plan and the applicant household must continue to meet the LIHTC eligibility criteria during the length of occupancy or program compliance period pursuant to the IRS Section 42 regulations and DOH.

### Eligibility for HOME

For admission to a HOME unit the applicant household must meet the criteria for the HOME program to include the following:

- A. The applicant household, during the LIHTC program compliance period, must meet the income standards required by DOH under which 25 units must be rented to a household whose gross annual income is equal to or less than 60% AMI at initial occupancy. After initial occupancy the next available unit rule will apply if household gross annual income exceeds 140% of the AMI (as applicable).
- B. The applicant household, during the HOME program compliance period, must meet the income standards required by HUD under which 7 units must be rented to a household whose gross annual income is equal to or less than the 50% AMI and 18 units must be rented to a household whose gross annual income is equal to or less than the 60% AMI based on the HOME program income limits.
- C. The applicant household, during the LIHTC program compliance period, must meet the student status requirements for the program;
- D. The applicant household, during the HOME program compliance period, must meet the student status requirements for the program;
- E. The applicant household, during the LIHTC and HOME program compliance period, must only maintain one residence and use the unit only as a private dwelling

Admission will also be based on the other tenant selection criteria as outlined in this plan and the applicant household must continue to meet the HOME eligibility criteria during the length of occupancy or program compliance period pursuant to the HUD HOME program regulations.

### Enterprise Income Verification (EIV)

Check one:

- ☒ This building **is** required to comply with the requirements of the HUD Enterprise Income Verification system (EIV)
- ☐ This building **is not** required to comply with the requirements of the HUD Enterprise Income Verification system (EIV).

### For Public Housing Program Participants:

The requirement to comply with the HUD EIV system will be administered through the CHA on specific units designated as public housing. Compliance with HUD requirements will be done in accordance with the CHA Admissions and Continued Occupancy Policy and Administrative Plan. This includes the following screenings:

- A. All members of an applicant household for specific public housing program units will be screened through the Enterprise Income Verification systems (EIV) prior to admission for rental history through Existing Tenant Search. This is for use in the HUD program only. Nothing prohibits a recipient of HUD Housing Assistance from applying to this property. However, if the applicant household is accepted for tenancy, the household must move out of the current property where subsidy is received or forfeit any Voucher before HUD assistance at this property can begin. Consideration will be given to applicant households



who share 50% custody of minor children. Failure to fully disclose rental history will be considered misrepresentation of information and may be cause for denial of the application.

- B. Prior to admission, each adult applicant household member will be screened in the EIV Debts Owed to PHA's and Terminations database and if any information on debts or terminations is returned by the search the results will be reviewed to determine if the offenses violate their program admission policies. At time of admission all adult members must sign HUD form 52675 which provides notification to the adult applicant household members that debt and termination information will be collected and shared with other public housing authorities and will be accessible by their staff, HUD staff, and contractors to determine suitability for assistance.
- C. If the applicant household is approved for tenancy and accepts a unit, an EIV Income Report will be obtained within 90 days after admissions to identify any unreported or underreported income sources.

### Violence Against Women Act (VAWA)

The Violence Against Women Act (**VAWA**), effective on December 29, 2008, and reauthorized in 2013, 2016, and 2022 applies to families applying to or receiving assistance through public housing, housing choice vouchers, project-based vouchers, Section 8, Section 8 Mod Rehab, Section 202/8, 202PRAC, 811PRAC and LIHTC programs. Admission to the housing program will not be denied on the basis that the applicant family is or has been a victim of domestic violence, economic abuse, technological abuse, sexual assault, dating violence, or stalking, if the applicant otherwise qualifies for assistance or admission. The incident must be reported, documented and confirmed. Information on VAWA Occupancy rights will be given to all applicants prior to move-in. The designated VAWA Coordinator is the Director of Regulatory Compliance.

VAWA protects anyone who is:

1. a victim of actual or threatened domestic violence, sexual assault, dating violence or stalking, or the spouse, parent, brother, sister or child of that victim, or an individual, tenant or legal and lawful occupant living in the victim's household, and
2. living in or seeking admission to the property covered by VAWA.

Protections for VAWA-covered violence covers women or men, as well as people in same-sex relationships, whether or not they are blood-relations, living together, and/or are married.

- Domestic violence is felony or misdemeanor violence committed by the victim's current or former spouse; someone in the role of a spouse according to local law; the victim's live-in or former live-in intimate partner; someone the victim shares a child with; or, anyone an adult or youth victim would be protected from under local domestic or family violence laws.
- Dating violence is defined as violence committed by someone who is or has been in a romantic or intimate relationship with the victim.
- Sexual assault is any non-consenting sexual act as determined by federal or state laws, including when the victim lacks the ability to consent to the act.
- Stalking is to follow, pursue, place under surveillance or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person. It is defined as placing a person in reasonable fear of death, serious bodily injury, or substantial emotional harm. This definition covers the victim, the victim's immediate family or the victim's intimate partner.

The rule also permits a bifurcated lease, which allows management to remove a household member from a lease without regard to whether the household member is a signatory to the lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any tenant or lawful occupant and who engages in criminal acts of physical violence against family members, affiliated members or others, without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is a tenant or lawful occupant. The ability to bifurcate a lease is determined by local laws.

At move-in interview the household will receive the Notice of Occupancy Rights, to be signed by all household members 18 and over. The VAWA Lease Addendum (HUD-91067) will be signed by all household members 18 years of age and older at move-in, or at/by





the next Annual or Interim certification after a current tenant's 18<sup>th</sup> birthday. All applicants and/or residents will be able to report such incidents through the VAWA certification form (HUD 5382) or other acceptable forms of verification by a health professional, the police, an attorney or other documentation, as noted in the CFR. The property has a VAWA Policy, an Emergency Transfer Request Policy and Procedure, and an Emergency Transfer Plan on file and for review in the Management office. The Emergency Transfer Request is available in the management office and information and assistance by management is provided in strictest confidentiality. The Occupancy Rights will also be given at termination of tenancy, termination of assistance and when the application is rejected.

If a resident or applicant has requested VAWA protections and such protections have been documented and justified based on management's investigation, the abuser/perpetrator will not be approved to live on the property.

Property Management must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA. Management must not allow any individual administering assistance or other services on behalf of Property Management (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law. Management must not enter your information into any shared database or disclose your identity or information to any other entity or individual. Management, however, may disclose the information provided if:

- You give written permission to Management to release the information on a time- limited basis.
- Management needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires Management or your landlord to release the information.

Property Management will retain any written information you provide related to the exercise of your rights under VAWA, as well as VAWA forms that are part of the tenant file for a period of time as follows:

- VAWA Certification forms (HUD form 5382 or 5383 or alternate documentation) and any supporting documentation is considered confidential and will not be a part of the regular tenant file. However, information will be retained for the entire length of occupancy. Upon move out information will be shredded three (3) years after the move out date. If the application for housing is not approved and VAWA Certification forms or alternate documentation and supporting documentation was submitted during the process, information will be retained for three (3) years from the date of wait list removal or application rejection then shredded.
- Management shall have current household members age eighteen (18) years or older sign and date an "acknowledgment of receipt" of the VAWA Notice of Occupancy Rights (HUD form 5380) at the time of admission or move-in. This acknowledgement will be retained in the tenant file as part of the initial move-in documentation for the length of occupancy. Upon move out information will be shredded three (3) years after the move out date.
- Management shall have the current household members age eighteen (18) years or older sign and date the VAWA Lease Addendum (HUD form 91067) at the time of admission or move-in to be effective as of the date of the Lease. This addendum will be retained in the tenant file as part of the initial move-in documentation for the length of occupancy. Upon move out information will be shredded three (3) years after the move out date.

This property must comply with the VAWA policies and procedures as required by CHA for specific public housing program units. The property must also comply with the VAWA policies and procedures as required by DOH for specific LIHTC program units. The designated VAWA Coordinator for the Management Agent is the Director of Regulatory Compliance.

## **6. Procedures for Application Processing**

This property must comply with the procedures for application processing and eligibility for admissions as defined by CHA in their Admissions and Continued Occupancy Policy and Administrative Plan for Public Housing for the 42 units designated as part of the public housing program. There are additional rights and responsibilities for applicants of the public housing program. Wait List selection will be completed by the CHA for these specific units. As such the procedures for application processing listed below to include wait list selection and opening and closing of the wait list do not apply to units designated under the public housing program. Items below are noted with an asterisk (\*) if not applicable to public housing units.



- A. When the marketing of units generates an application pool such that the Wait List period is more than **three (3) years**, management may suspend the intake of preliminary applications. If application intake is suspended, Management will do so in accordance with the provisions and guidelines as noted in the HUD or State Finance Agency's approved AFHMP. \*
- B. If the Wait List has been closed and the application pool diminishes to a point where the waiting list period is less than **one (1) year**, Management will market pursuant to the provisions of the HUD or State Finance Agency's approved AFHMP when insufficient persons are available on the Wait List or if there are no persons at or below the area median income to enable the project to meet the income targeting requirements, if applicable. \*
- C. Interested persons may contact the Management Office by phone, e-mail, fax, in person, or by mail to apply by requesting an application packet. All applications requested will be sent in a timely manner, if the Wait List is open. \*
- D. All applications will be considered based on a "first come-first serve" basis, taking into account any preferences. Management will review all applications received for completeness and preliminary eligibility.
- E. Applications will be deemed "complete" when all information requested in the application packet has been submitted, including all information necessary to establish whether an applicant household is eligible for residency. NOTE: **ONLY original** applications will be accepted.
- F. Applications deemed "incomplete" will be returned to the applicant household indicating the specific area(s) requiring completion. A copy of the application and cover letter will be placed in a "pending" file prior to returning the application. This will serve as documentation of status until a completed application is returned. While pending the application will not be date / time stamped or added to a Wait List.
- G. Management will screen each application for preliminary eligibility criteria which may include requirements for age, income, and occupancy standards. Applications deemed complete and preliminarily eligible will be date / time stamped and added to the Wait List. The applicant household will be notified in writing of the Wait List position, requirements for updating information, and how the Wait List operates.
- H. Applications deemed "ineligible" based on prescreening criteria will not be date / time stamped or added to the Wait List\*. The applicant household will be notified in writing of ineligibility and informed the household has **fourteen (14) days** from the date on the letter to appeal the decision. Applicant households may submit an appeal in writing or another equally effective means of communication to Management.
- I. As an applicant household reaches the top of the Wait List it will be screened to determine eligibility and whether the applicant is willing and able to satisfy the requirements for residency. An eligibility interview will be scheduled with Management staff so that current information is obtained to determine if the household is qualified. This information may include the following:
- 1) Household composition
  - 2) Income, assets, and expenses (if eligible and applicable per program requirements)
  - 3) Student Status
  - 4) Housing history, including evictions, for the most recent three (3) years
  - 5) Background screening (to include credit, criminal, and sexual predator screening). **Note:** Sexual predator and criminal screening will be conducted annually after initial occupancy and continuing annually for the length of tenancy.
  - 6) If applicable to specific regulatory requirements the following documents will be obtained with signatures where needed or the document provided to the applicant household members 18 years of age or older where required:
    - (a) EIV Existing Tenant Search (HUD programs ONLY)
    - (b) Citizenship (if required for program eligibility or assistance)
    - (c) HUD Fact Sheet, HUD form 9886 (if required for program eligibility or assistance)
    - (d) Violence Against Women Act (VAWA) Notice of Occupancy Rights



The use of certain forms is determined by the program(s) under which the property operates.

- J. When all income, asset, eligibility, and screening information has been received Management will make a decision as to whether or not the applicant household qualifies for the next apartment that becomes vacant. Note: All household eligibility information older than 120 days must be updated prior to occupancy.
- K. Applicant households will be selected for an apartment in chronological order based on the "date and time stamp of application". All HUD (public housing or HOME program as applicable) and LIHTC, if applicable, program requirements and eligibility criteria, preferences, and approved tenant selection criteria in effect at time will be considered in the admission decision. \*
- L. When a unit or apartment becomes available, Management will notify the next applicant household on the Wait List in the following manner: \*
  - 1) Management will telephone the applicant household first. If, after three (3) attempts, the applicant household cannot be reached, a certified letter will be sent to the last known address of the applicant household.
  - 2) After five (5) days from the date the letter was sent, if no contact has been made by the applicant household, Management will offer the apartment to the next person on the waiting list.
  - 3) Applicant households who have not responded to the letter offering an apartment will be considered to have "refused the offer" and will be removed from the Wait List. Exceptions will be made for extenuating circumstances.
  - 4) Applicant households whose names have been removed from the waiting list are required to reapply if interested in being placed, again, on the waiting list. They will not resume their original position on that list but will be placed on the waiting list as of the date and time they submit their new completed application per the policy stated above.
- M. Applicant households are permitted to refuse the offer of an apartment once and still retain their position on the waiting list. Written notice will be sent after that refusal. If an applicant household refuses the offer of an apartment a second time, the application of the applicant household will be removed from the Wait List. Written notice will be sent to notify the applicant household of Wait List removal. If the applicant household would like to reapply, they may do so by requesting an application if the Wait List is open at that time. \*
- N. If the applicant household is rejected, a notice to that effect stating the reason for the rejection, will be sent to the applicant household indicating that it has fourteen (14) days after the notice date to request a meeting with the Agent (someone other than the person who issued the rejection) to appeal the decision. Management will proceed to the next person on the waiting list to offer the vacant apartment. If the applicant household that has been rejected appeals the decision and the decision is overturned, the applicant household will resume its original position on the Wait List and be offered the next available apartment for which it is eligible.

## 7. Proof of Legal Residency

Check one:

- ☒ Applicants **are** required under HUD program guidelines to provide proof of U.S. Citizenship or eligible noncitizen status on specific units covered under the Public Housing Program and HOME Program.

**Note:** Applicant households applying for specific units covered under the LIHTC program ONLY, with no other layered programs, are not required to meet the HUD guidelines for U.S. Citizenship or eligible noncitizen status. Documentation is not required for program participation.



☐ Applicants **are not** required under HUD program guidelines to provide proof of U.S. Citizenship or eligible noncitizen status.

**For Public Housing Program or HOME Program Participants:**

All Residents must be either U.S. Citizens or eligible noncitizens, as defined by HUD. All applicants will be given notice of the requirement to submit evidence of citizenship or eligible immigration status at the time of application. Citizens aged sixty-two (62) and older will be required to sign a declaration of citizenship status and provide proof of age. Eligible Noncitizens aged sixty-two (62) or older will be required to sign a declaration of eligible immigration status and provide proof of age.

Under the HUD program, applicants under the age of sixty-two (62) will be required to sign a Verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Management will verify with the Department of Homeland Security (DHS) the validity of documents provided by applicants. This verification will occur in advance of other verification efforts in order to avoid delays in receipt of information. Applicants would be notified as to whether or not they would be eligible for assistance, or for partial assistance (if a mixed family).

**8. Student Status**

This property is required to comply with the IRS Section 42 Low Income Housing Tax Credit Program student rules. Student eligibility is determined at move-in / initial certification and at every annual certification. A student who is otherwise eligible must also meet the screening criteria for student status. Households composed entirely of full-time students are not eligible for the LIHTC program unless, they meet one of these five (5) criteria:

1. Married and filing a joint tax return or eligible to file a joint tax return, or
2. Single parent, at least 1 child, neither of whom is a dependent on another person's tax return, except for the return of the other parent of the child, or
3. Receiving welfare or TANF, or
4. Participating in job-training program funded through Workforce Investment Act, or
5. Household member was a participant in the foster care program.

Note: Full-time student status for the purpose of the LIHTC program includes regular attendance at such facilities for five (5) or more months during the calendar year in which the taxable year for the taxpayer begins. This includes all persons in the household who are enrolled full-time in Kindergarten through 12<sup>th</sup> grade, GED programs, any institution of higher education, college, university, community college, trade schools, technical programs, apprenticeships, and other such facilities or programs.

For specific public housing program units administered by CHA, additional HUD requirements for students enrolled at an Institution of Higher Education and eligibility for assistance, will be determined in accordance with their Admissions and Continued Occupancy Policy and Administrative Plan.

Check one:

- ☒ This property **does** have additional Section 8 requirements for students enrolled at an Institution of Higher Education.
- ☐ This property **does not** have additional Section 8 requirements for students enrolled at an Institution of Higher Education.

**For HOME Program Participants:**

Student eligibility is determined at move-in/initial certification interviews and at annual certification interviews. A student who is otherwise eligible and meets screening criteria is eligible for assistance under the HUD program if the student meets the criteria indicated below.

Section 8 assistance will be available to an individual who is enrolled full or part-time at an institution of higher education for the purpose of obtaining a degree, certificate or other program leading to recognized credential; and when the student is also at least one of the following:

- a) Is at least 24 years of age;
- b) Is a veteran, or an active member, of the United States military;



- c) Is married;
- d) Has a dependent child;
- e) Is living with his/her parents who are receiving Section 8 assistance;
- f) Is a person with disabilities as defined in the 1937 U.S. Housing Act, and was receiving Section 8 assistance as of November 30, 2005;
- g) Is independent or classified as a Vulnerable Youth, meeting HUD's definition of Independent or Vulnerable Youth, as listed below;
- h) Is individually eligible, and has parents who, individually or jointly, are income eligible to receive assistance under Section 8 of the 1937 Act.

The following criteria will be utilized in determining a student's independence:

- a) The student is of legal contract age under state law.
- b) The student has established a separate household from parents or legal guardian for at least one year prior to application for occupancy or the person meets the U.S. Department of Education's definition of an independent student, which is:
  - (1) Be at least 24 years old by December 31 of the year for which Section 8 is sought;
  - (2) Be a veteran of the U.S. Armed Forces, or currently serving in other than a training capacity;
  - (3) Have a legal dependent other than a spouse (i.e. dependent child or elderly dependent parent);
  - (4) Be a graduate or professional student
  - (5) Be an orphan, in foster care, or a ward of the court or was and orphan, in foster care at any time when the individual was 13 or older;
  - (6) Be an emancipated minor, or was an emancipated minor immediately before the age of majority;
  - (7) Be married.
- c) The student must not be claimed as a dependent by parents or legal guardians.
- d) The student must obtain a certification of the amount of financial assistance to be provided by parents. This certification is required regardless of whether assistance is actually received.

To meet HUD's definition of Vulnerable Youth, the Student must:

- (1) Be an orphan, in foster care, or a ward of the court or was and orphan, in foster care when the individual was 13 or older;
- (2) Be an emancipated minor, or was an emancipated minor immediately before the age of majority, or in legal guardianship in the applicant's state court, with documentation provided;
- (3) Been verified during the school year of application as an unaccompanied youth who is homeless, at risk of homelessness and self-supporting with appropriate agency, homeless liaison or programs as defined by HUD's regulations and documentation is provided.

Financial assistance provided by persons not living in the unit is not part of annual income if the student meets the Department of Education's definition of 'Vulnerable Youth'. In addition, under certain circumstances, the parents' income may not be relevant because the student is determined to be independent of his or her parents.

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 and required fees shall be considered income to that individual, except for:

- A person 24 years of age or older with dependent children as defined by HUD or
- A person living with his/her parents who are receiving Section 8 assistance.

Non-citizen students and their non-citizen families (including non-citizen spouse and non-citizen children) may not receive assistance and are not eligible of continuation of assistance or temporary deferral of termination of assistance. A Non-citizen student is defined as a:

- Resident of another country intending to return to their home country;
- bone fide student pursuing a course of study in the US;
- Person who was admitted to the US solely for the purpose of education on an F-1 or M-1 student visa.





**9. Proof of Social Security Number (SSN)**

Check one:

- ☒ Applicants **are** required under HUD program guidelines to provide proof of Social Security Number for all household members on specific units covered under the Public Housing Program or HOME Program.

**Note:** Applicant households applying for specific units covered under the LIHTC program ONLY, with no other layered programs, are not required to meet the HUD guidelines for disclosure of social security number for all household members. Documentation is not required for program participation.

- ☐ Applicants **are not** required under HUD program guidelines to provide proof of Social Security Number for all household members for all household members.

**For Public Housing Program or HOME Program Participants:****For Public Housing Program Participants:**

To participate in the program and be eligible for Assistance, each member of the applicant(s) or tenant(s) household, excluding those age 62 and older as of January 31, 2010, whose documented initial determination of eligibility was begun prior to January 31, 2010, and those individuals who do not contend eligible immigration status, are required to disclose and provide verification of the complete and accurate Social Security Number (SSN) assigned to them prior to move-in. Adequate disclosure and verification consist of a social security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN as explained in the federal code of regulations 24 CFR § 5.216 and the CHA Admissions and Continued Occupancy Policy and Administrative Plan.

If an applicant has an SSN but does not have the required documentation at eligibility interview the applicant may submit the SSN and certify the number is accurate but that acceptable documentation could not be provided. The certification will be accepted and the application will continue to be processed. The applicant must submit the required documentation within 90-days from the date of the certification of the SSN. The applicant household will retain their position on the Waiting List during the 90-day period. The applicant may not become a participant in the program until the required SSN documentation has been provided. If the applicant does not provide the required documentation within the allotted timeframe, the application will be deemed ineligible and the applicant will be removed from the Waiting List and the unit will be offered to the next eligible applicant.

Applicant households with a new household member under six (6) years of age added within six (6) months of admission, with no SSN, have a 90-day period from the move-in date to provide required disclosure and verification of the SSN. If there are mitigating circumstances (delay in processing by SSA, death in family, natural disaster, fire, etc.) an extension may be granted to obtain the SSN documentation. During the 90-day timeframe, a TRACS number will be assigned in place of the SSN. Upon disclosure and verification of the SSN an Interim Certification will be processed. After 90-days, if the applicant has been unable to supply the required SSN and verification documentation, the applicant should be determined ineligible and removed from the waiting list. If the SSN is not provided within the 90-day time frame after move-in, and there are no mitigating circumstances as noted above, tenancy of the household will be terminated with no pro-ratio of assistance.

Current households adding a new household member six (6) years and older with no SSN on file, must provide the SSN to be added to the household at the time of the request or at the time the new member is added to the certification. Individuals who have applied for legalization under the Immigration and Reform Control Act of 1986 will be able to disclose the social security numbers, but unable to supply the cards for documentation. Social security numbers are assigned to these persons when they apply for amnesty. The cards go to the Department of Homeland Security (DHS) until the persons are granted temporary lawful Resident status. Until that time, their acceptable documentation is a letter from the DHS indicating social security numbers have been assigned.

**10. Interviews**

Purpose of an Interview
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The interview is one step in determining if an applicant household(s) is eligible to become a resident(s). The interview allows management to become more familiar with the applicant household(s) and to gather preliminary material to determine eligibility for rental assistance. The interview also provides an opportunity for the applicant household(s) to inquire about the facility and the occupancy requirements. The applicant household(s) will be assured of the confidentiality of the interview and the need for acquiring information regarding income, age, and legal status in order to determine eligibility based on federal regulations. Interviewing is also a method of screening applicant household(s) to assure that they meet the owner's as well as HUD (public housing or HOME program as applicable), LIHTC, or property funding requirements of residency.

The interview also provides an opportunity to learn of the interests and needs of the applicant household(s). In no way does this information determine eligibility, but it will allow management to provide information regarding services and activities provided in the facility and community in general.

### **When the Interview Should Be Conducted**

If a unit is presently available or will become available within the next ninety (90) days, the applicant household(s) at the top of the waiting list will be contacted. If the applicant household(s) displays an interest in residency, an interview of the prospective resident(s) will be scheduled. If the applicant household(s) is not interested at this time, his/her name will remain at the top of the waiting list and will be contacted when the next unit becomes available.

To speed the rent-up process, interviews can be conducted on applicant household(s) near the top of the waiting list. With initial paperwork completed, when move-out notice is given by a current resident, the information provided by the applicant household(s) will only have to be up-dated (if greater than 120 days old). This will provide a level of efficiency in re-renting of a unit in a timely manner.

### **The Interview Process**

The interview process for applicant households applying for the public housing program will be conducted through CHA to determine eligibility for assistance and suitability in accordance with their Admissions and Continued Occupancy Policy and Administrative Plan. Eligible applicant households will then be referred to management of the property to determine if the applicant household meets the additional tenant selection criteria as outlined in this plan and LIHTC program requirements. Applicant households applying for non-public housing units will complete the interview process with management of the property to determine if the applicant household meets the tenant selection criteria as outlined in this plan and LIHTC program requirements. All interviewing is done in compliance with the HUD and LIHTC program regulations, and the owner's occupancy standards.

The applicant household(s) will be informed of the facility, its location, the size of the available unit, handicapped accessibility, and other amenities and services of the building as well as the community. The interview will disclose the federal regulations relating to the rent subsidy program in place at the property. In addition, the applicant household(s) will be informed that there are penalties for providing false information, which may result in eviction, loss of rental assistance, fines up to \$10,000 and possible imprisonment of up to five (5) years.

Documentation needed during an interview includes, but is not limited to, the following (note: materials an applicant should bring to an interview are based on the specific program requirements that apply to the property, owner's occupancy standards, and eligibility criteria as outlined in this plan. As such some materials may not apply to every applicant household or property):

- A. Application for housing (Currently at site)
- B. Verification of Age
- C. Verification of Legal Alien Status (applicable to HUD programs)
- D. Family Composition
- E. Names/Addresses of Landlords over the past three (3) years
- F. Names/Addresses of two (2) Emergency Contacts
- G. Social Security Number for all household members (applicable to HUD programs)



**H. Authorization Forms (available at the site)**

- 1) Income (Social Security, SSI/SSDI, Pension, Veterans Administration Benefits, Employment Income, Public Assistance, Disability)
- 2) Assets (Stocks, Bonds, Checking Accounts, Savings Accounts, Real Estate Appraisals, Certificates of Deposits) and assets disposed within the last two years
- 3) Residency Status
- 4) Credit/Criminal/Sex Offender Registration Checks
- 5) Verification of Student Status (applicable to HUD and LIHTC programs)
- 6) Certification of Handicap/Disabled Status

The applicant household(s) must be informed that this information must be verified by third party sources. It will be used to determine eligibility as well as rent. NOTE: Information must be received for each applicant household member who will be a member of the lease and residing in the unit.

The applicant household(s) will also be provided with a list of missing documents. The completed application including the missing documents must be received within ten (10) days. If the applicant household fails to respond, they will receive a second notice stating that if all materials are not received within fourteen (14) days from the 2<sup>nd</sup> notice, the applicant household will be removed from the waiting list.

**11. Screening/Rejection Criteria**

A determination that an applicant household is eligible to apply for residency does not necessarily mean the applicant household will be a suitable resident. Applicant household screening will be conducted to assist in making that determination. These screening procedures will be administered uniformly for all applicant households and applicant households will be required to sign release forms for this purpose. It should be noted that live-in aides or live-in caregivers (either at the time of initial application or subsequent to move-in by the applicant household) will be subject to similar screening, except for the ability to pay rent. Screening procedures address the following areas:

- A. An applicant household's past performance and willingness in meeting financial obligations, especially rent and utilities;
- B. A record of disturbance of neighbors or destruction of property at prior residences that may adversely affect the health, safety or welfare of other residents or the property's employees or vendors;
- C. Involvement in criminal activity by any member of the applicant household or live-in aide involving crimes of physical violence to persons or property and other criminal acts, including drug-related criminal activity and sex offender criminal activity that would adversely affect the health, safety or welfare of other residents;
- D. A record of disregard for rules of occupancy or eviction from a prior residence;
- E. Each member of applicant household's ability and/or willingness to comply with terms of the lease, either alone or with assistance;
- F. Information indicating that an applicant household has misrepresented any information related to eligibility, income and assets, allowances, family composition, debt to prior landlords, criminal record or rent;
- G. Whether an applicant household live-in aide is, currently, an illegal user of a controlled substance, including medical marijuana;
- H. Whether an applicant household family qualifies for an accessible apartment;
- I. Student status in accordance with HUD and LIHTC guidelines, if applicable.



In accordance with the HUD Notice PIH 2015-10, the HUD Office of General Counsel Guidance dated April 2, 2016, and the provisions of the Just Housing Amendment (Ord. No. 19-2394) to the Cook County Human Rights Ordinance, in the event that there is unfavorable information with respect to an applicant household, consideration shall be given to mitigating or extenuating circumstances, which might indicate a reasonable probability of favorable future conduct or financial prospects. Mitigating circumstances might include:

- A. Evidence of successful rehabilitation, i.e., completion of an approved, supervised drug rehabilitation program for previous drug users.
- B. Evidence of the applicant household family's participation in or willingness to participate in social service or other appropriate counseling service.
- C. Evidence of successful modification of previous disqualifying behavior.
- D. Documented evidence of incidents related to VAWA.

Management will not reject an application based solely on arrest records or conviction records. Mitigating circumstances may be considered in accordance with the [HUD Notice H-2015-10](#) dated November 2, 2015. Additionally, [HUD Memo dated April 4, 2016](#), Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate Related Transactions.

<b>Screening</b>
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The following applicant household screening procedures shall be conducted to determine whether each applicant household qualifies for residency:

- A. Eligibility interviews held onsite will be conducted with all applicant household members being considered for admission in accordance with applicable program guidelines. Household members age eighteen (18) years or older must attend the eligibility interview.
- B. Verification and documentation of student status (if applicable), income, assets, and eligible expenses (if applicable) for all household members being considered for admission in accordance with applicable program guidelines.
- C. Verification and documentation of the current and previous housing history up to **three (3) years** for each applicant household. Note: This includes applicant households who were homeowners, lived with family or parents or guardians, or homeless. Applicants indicating homeless status may provide documentation from a program or shelter where services are received or self-certify homeless status.
- D. Verification of disability, if applicable to project or program or specific unit type requirements in accordance with applicable program guidelines.
- E. Declaration and verification of citizenship status (for HUD programs only).
- F. Landlord reference checks and EIV rental history (for HUD programs only) under Existing Tenant Search.
- G. Sexual predator checks for all household members to the extent as allowed by state and local laws (conducted annually).
- H. Credit, criminal, and eviction checks conducted by a contracted screening company and in compliance with all local, state, and federal laws.

Check one:

- ☐ Home Visits **will** be conducted to inspect the current dwelling of the applicant to determine that housekeeping practices are acceptable if the applicant resides within 5 miles of the Development.



- ☒ Home Visits **will not** be conducted to inspect the current dwelling of the applicant to determine that housekeeping practices are acceptable.

An applicant household shall bear the burden of establishing its qualifications for residency and for providing all information necessary to resolve any doubts regarding their qualifications to the satisfaction of Management. In the event an applicant household fails to provide such information (including any consents necessary for Management to obtain necessary information from third parties), the application will be rejected. A notice to this effect will be mailed to the applicant household at the last known address on file. At that time the applicant will have the right of appeal according to the rejection and appeal procedures.

### Rejections

- A. An applicant household will be rejected if it fails to meet any HUD (public housing or HOME program as applicable), LIHTC, or special funding eligibility requirements with regard to income limits, age, family definition, citizenship status and household composition. This property is required to meet the funding eligibility requirements as defined by CHA in their Admissions and Continued Occupancy Policy and Administrative Plan. This property must also meet the funding and eligibility requirements as defined by DOH pursuant to the IRS Section 42 LIHTC program requirements. This property must also meet the funding and eligibility requirements as defined by HUD pursuant to the HOME program requirements.
- B. Assistance will not be provided to households who maintain another residence in addition to the assisted unit. At the time of lease-signing/admission the applicant cannot be receiving assistance for any other unit. This does not preclude applicants who currently live in subsidized housing from applying to another property or being eligible to move to a different subsidized unit.
- C. An applicant household will be rejected if it does not meet the property's approved screening criteria. This is subject and subsequent to an individualized assessment and the requirement (per the Just Housing Amendment to the Cook County Human Rights Ordinance) that Management must show that denial based on criminal conviction is necessary to protect against a clear risk to personal safety and/or property when applicable. The reason(s) for rejection of an applicant household may include the following:
- 1) **Poor** housekeeping that results in safety, health or hygiene hazards (Note: Home visits will not be conducted. However, if current or prior Landlord verification for up to three (3) years of housing history indicates a current or previous issue with the above listed items).
  - 2) Poor credit history:  
**Note<sup>1</sup>:** Applicant households will not be penalized for not having a credit history. Management will look at the last five (5) years of credit, with an emphasis on timely payment of rent, utilities, and credit cards. Late payments of school loans or medical bills will not be considered serious credit concerns. Bankruptcy will not, necessarily, result in a rejection.  
  
**Note<sup>2</sup>:** Applicant households screening for Public Housing units administered by the Chicago Housing Authority will not be subject to rejection due to consumer credit payment history. However, in order to properly review a prospective tenant's history of paying housing costs, utilities and other costs, it will be necessary to obtain a credit report, and applicants may be rejected based on negative history in these categories. All other criminal and background checks will be made for all applicants.
  - 3) History of rent arrears or poor rental background. (Note: The lack of a rental history will not necessarily be a cause for rejection.) \*
  - 4) Refusal to occupy the apartment in accordance with the occupancy standards.
  - 5) Refusal to fully cooperate with application process in a timely fashion.
  - 6) Misrepresentation of facts on the application or during the admission process.



- 7) Admission to this project will not be the applicant household's only place of residence.
- 8) History of damage at current or previous residence of property of others. \*
- 9) History of disturbing the quiet enjoyment of others \*.
- 10) History of violations of house rules or disruptive behavior at prior residences. \*
- 11) Inability to disclose and document social security numbers, when applicable.
- 12) Failure to sign and submit verification consents or refusal to cooperate with the application process.
- 13) Has household characteristics that are not appropriate for the specific type of unit available at the time, or is of a household size not appropriate for the unit sizes that are available.
- 14) Includes household members who did not / will not declare citizenship or non-citizenship status, or sign a statement electing not to contend non-citizen status.
- 15) An applicant household may revise their application to exclude proposed household members who do not declare citizenship or eligible non-citizen status, if applicable.
- 16) Previous history of violence and no current rehabilitative services.
- 17) History of controlled substance or alcohol abuse within the last **three (3) years** and no current rehabilitative services.
- 18) Current use of illegal drugs or the sale, distribution and manufacture of such drugs.
- 19) Any household member is, or has been, subject to registration under any state sex offender registration program.
- 20) Any applicant household member who was evicted from any housing for non-payment of rent, damages, drug related or other criminal activity within the last **three (3) years**.
- 21) Ineligible due to student status in accordance with HUD or Section 42 of the IRS tax credit guidelines.
- 22) Any household member has a record of any conviction or adjudication, other than acquittal of the following, which includes, but is not limited to: murder, arson, kidnapping, felony assault, burglary, treason, crimes involving harm to adults, children or animals, crimes involving explosives, terrorism, pornography, cyber stalking, cyber-crimes, and fraud above within the last **three (3) years**.
- 23) Any household member has a record of any conviction or adjudication, other than acquittal, for any other felonies, not listed above within the last **three (3) years**.
- 24) Any household member has a record of any conviction or adjudication, other than acquittal, for any misdemeanors within the last **three (3) years**.
- 25) If Management is unable to complete the required criminal or sex offender screening, the application will be rejected.

If the Owner / Agent determines that a sex offender is part of the household, the owner/agent will allow the household to remove the sex offender from the application. Removal must be documented using the change of address receipt from the state Department of Sex Offender Registration and may include the requirement of documentation of another residence.

The household will have **five (5) business days** to provide verification that the household member has alternative housing or that the household member has applied for alternative housing and will not be part of the applicant household. Failure to provide such documentation will result in rejection of the application for all household members.

The owner/agent reserves the right to monitor household composition after move-in. If the owner/agent discovers that a sex offender has moved in to the unit, assistance will be terminated and the household will be evicted in accordance with HUD requirements. Any assistance paid-in-error must be returned to HUD. For units covered under the LIHTC program eviction will be initiated in accordance with LIHTC requirements. Eviction proceedings will be done in compliance with local, state, and/or federal laws as applicable.



\* Consideration will be given to victims with documented incidents relating to VAWA. See the property's VAWA Policy. This property must also comply with the VAWA policy of the CHA and DOH. If there is a conflict, the policy for the applicable program administrator shall prevail.

For this property rejection procedures are subject to HUD guidelines and the requirements of the Cook County Illinois Just Housing Ordinance. As such the written notification procedure for rejecting an application will be the following:

1. Written Notification - Other than Criminal History: Upon completion of the first phase of pre-qualification, which includes an evaluation of all screening criteria except the criminal background, if the application is rejected, each applicant will be promptly notified in writing of the reason(s) for rejection (Exhibit M). This notice will advise the applicant that he/she may, within fourteen (14) days of receipt of the notice (excluding weekends and designated federal holidays), respond in writing or request to meet with Management to discuss the notice. If the appeal is overturned the applicant household will be notified. Upon notification the applicant will be informed of the next step of the pre-qualification process that includes providing consent for Management to conduct a criminal background screening. If the criminal background screening indicates a history that meets the selection criteria the applicant household will be notified. If the criminal background screening indicates a history that does not meet the selection criteria the applicant household will be notified in accordance with the requirements of the Cook County Illinois Just Housing Ordinance and Management will conduct an individualized assessment.
2. Written Notification - Individualized Assessment / Criminal History: If an applicants' criminal background screening does not meet the selection criteria, within five (5) business days Management will notify the applicant and deliver a copy of the screening to the applicant via certified mail, text message, email, or in person. Upon the applicant receiving the results of the background check, the applicant has five (5) business days to provide evidence that disputes the accuracy or relevance of the information related to the criminal background check.
3. Written Notification - Individualized Assessment Results: Upon receipt of applicant's evidence disputing the accuracy or relevance of the information related to the criminal background check, Management will conduct an individualized assessment and evaluate the demonstrable risk to safety and or property. Within three (3) business days Management will either accept or deny the application. If the application is denied, Management will notify the applicant in writing and provide an explanation of why the application denial was necessary to protect against a demonstrable risk of harm to personal safety and or property.

As noted above, if denied, Management will notify applicant households, in writing, of the reason for rejection and of its right of appeal, within fourteen (14) days of the date of the notice, to respond, in writing, or request a meeting to dispute the rejection. Any meeting with the applicant household or review of the applicant household's written response will be conducted by a representative of management who was not involved in the initial determination. Such notice, also, will inform the applicant household of its right to notify management if it has a person with a disability as a household member and to request reasonable accommodations in non-essential policies or practices to enable to applicant household equal opportunity.

If the applicant household responds, in writing, or a meeting is held, management will advise the applicant household, in writing, within five (5) working days whether or not management's position has changed. If the applicant revises the application to exclude an ineligible household member or add an additional household member, after the application has been rejected, the application will have a new application date/time and will not retain the original application date.

Management will keep the following materials on file: application, initial rejection notice; management's final response; and all interview and verified information on which management based the rejection.

## 12. Waiting List

<b>Purpose of a Waiting List</b>
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The waiting list is a vehicle of organization of eligible applications. The maintenance and updating of this list(s) is one of the major steps in limiting the time a unit is vacant during turnover of occupancy. The facility may have more than one waiting list. Waiting Lists can be broken down into the following areas.

- A. Unit Size
- B. Accessibility
- C. Preferences

#### **Creating/Maintaining a Waiting List**

The property must comply with the Wait List process and procedures as defined by CHA in their Admissions and Continued Occupancy Policy and Administrative Plan for Public Housing for the 42 units designated as part of the public housing program and the LIHTC program. There are additional rights and responsibilities for applicants of the Public Housing Program. The Wait List will be created and maintained by the Chicago Housing Authority for these specific units designated under the Program. As such the procedures listed below do not apply to units designated under the public housing program.

From initial screening of applications, only those that appear to be eligible will be placed on the waiting list. Those applications that appear to be ineligible will be sent written notices of rejection, reasons behind the rejection and informed of the right to appeal this rejection. The letter must state that the appeal process must be filed within fourteen (14) days from the date of the rejection letter. If an application is incomplete, it will be returned to the applicant household with a letter stating what information is needed and the date it must be returned in order to be further processed. Any incomplete application will not be entered onto the waiting list until it is received with all necessary information and appears to be eligible for occupancy. Only original application will be accepted.

Waiting lists are subject to the Fair Housing laws. Waiting lists may be closed if a unit is not subject to availability in a timely manner (i.e., 3 year). An applicant household's position on a waiting list is based on the chronological order in which the application was received.

Information which will be included on the waiting list includes the following.

- A. Date and time the application is received.
- B. Name of the applicant household.
- C. Number of household members.
- D. Income or income level as per the application or the most recent up-date.
- E. Need for accessible unit.
- F. Desired unit size
- G. Any preference if applicable.
- H. Final status/action.

In accordance with HUD and LIHTC regulations, information relating to race/ethnicity must be requested during the application process. Completion of gender or race by the applicant household is optional. Data collected should be maintained in separate files and is not a part of the Waiting List. This demographic information is not relevant to resident selection and if improperly used could result in discrimination against some applicant households.

Applicant households must be informed that its placement on a waiting list in no way guarantees that the household is eligible or acceptable for residency.

If more than one waiting list exists, an application if qualified may be placed on multiple waiting lists. Order of placement may vary from list to list but will always be based on the date and time of receipt of the application.

#### **Applicant Households in Need of an Accessible Unit**



Applications of households with special needs who are on the waiting list for an accessible unit must also be placed on the general waiting list. In compliance with Section 504, if their name comes to the top of the general list, they must be offered the available apartment. The household has the right to either accept or decline the unit.

If the household with special needs accepts a standard apartment, they have the right to request some modifications to meet their needs. If these modifications are considered to be reasonable accommodations, the owner/agent is required to make necessary adjustments as long as it will not result in undue financial burden as defined by HUD. If the household with special needs declines a standard apartment, they will have priority to occupy the next accessible unit.

Households occupying an accessible unit, but whose members do not require the special features will be required to sign a lease addendum that states that management has the right to move the household to a non-accessible unit when available. This will provide a resident(s) who requires the special features of an accessible unit the right of occupancy. Management will cover the cost of relocating the household not in need of the accessible unit.

The property has several accessible units for eligible persons requiring the amenities of these units as verified by their physician. Management will maintain contact with sources/agencies in the community who provide services to persons with disabilities so that, when accessible units become available, persons in need of these units may have the opportunity for residency.

Current residents needing an accessible unit will be placed on an in-house transfer waiting list in accordance with the date/time the Management Office received the verification from the physician confirming criteria for the need for an accessible unit. If an appropriately sized accessible unit is not available, property management will make accommodations to the extent feasible, to afford the applicant household or resident household equal opportunity to use and enjoy the apartment and the facility services.

### Updating the Waiting List

The property must comply with the Wait List update procedures as defined by CHA in accordance with their Admissions and Continued Occupancy Policy and Administrative Plan for the 42 units designated as part of the public housing program and LIHTC program. There are additional rights and responsibilities for applicants of the public housing program. Wait List updating will be completed by the Chicago Housing Authority for these specific units designated under the program. As such the procedures listed below do not apply to units covered under the public housing program.

Waiting lists will be updated at least annually. This will assure that the waiting list is current and accurate. It will confirm the applicant household's interest and eligibility, if the applicant household has located other means of housing, and if the applicant household is no longer eligible for subsidized housing. Updating the waiting list will also provide management with the current status of applicant households. It will allow management to know if there is a change in household status. Letters/cards must be mailed to the applicant household via the U.S. Postal Service. The letter/card should request the following information:

- A. Change in Household Status (size, family gross income)
- B. Change in Residency/Address
- C. Desire to Remain on the Waiting List

If the applicant household does not respond within the specified 30-day period, is determined to be ineligible or if the applicant household no longer desires to reside in the subject property, its name will be removed from the waiting list. A letter will be sent to the applicant household confirming this final action. The applicant household will have the right to appeal this action within 14 days from the date of the letter. Accommodations in response time can be made for those persons with disabilities.

If the letter/card is received via U.S. Postal Service and the applicant household requests to remain on the waiting list, the applicant household will receive a letter from the owner confirming its status. The letter will state that it is the applicant household's responsibility to inform the owner of any changes in address, telephone number and household status.

Applicant households whose names are removed from the waiting list due to failure to respond to the update card and who are determined to still be interested in residency, must reapply and complete a new application. These applicant households will assume



a new position on the waiting list based on the date the most recent application is received. All waiting list changes, including removal of names, will be documented, time- dated and initialed.

Reasons an application may be removed from the waiting list include the following.

- A. Applicant household no longer eligible or interested.
- B. Applicant household fails to respond to a written notice.
- C. Applicant household is offered and rejects two units at the same property.
- D. Mail is sent to applicant household's address and is returned as undeliverable.
- E. No appropriate size unit exists in the property.

If an application is removed from the waiting list and it appears that this was an error on the part of management, the application will be reinstated at the original place it occupied on the waiting list.

#### Contacting Applicant Households on the Waiting List

The property must comply with the procedures for contacting applicant households as defined by CHA in accordance with their Admissions and Continued Occupancy Policy and Administrative Plan for the 42 units designated as part of the public housing program and LIHTC program. There are additional rights and responsibilities for applicants of the public housing program. Contacting applicants on the Wait List will be completed by the Chicago Housing Authority for these specific units designated under the program. As such the procedures listed below do not apply to units covered under the public housing program.

When management is aware that a unit is scheduled to become available, they will contact the next applicant household on the appropriate waiting list by telephone. If management does not receive an initial response from the applicant household, they will continue to call (no less than 3 times) over a 48-hour period. If the applicant household cannot be reached, a letter will be mailed to the applicant household stating that the applicant household must contact the office by a specific date to schedule an interview. If management does not receive a response from the letter within five (5) business days, the next applicant household on the waiting list will be contacted. Management will notify the original applicant household again through mail when another unit is scheduled to become available. If the applicant household fails to respond for a second time, their name will be removed from the active waiting list and placed in an inactive file. A letter will be sent via mail informing the applicant household of the final actions.

#### Closing/Reopening the Waiting List

This property is required to comply with the AFHMP requirements for opening and closing per the City of Chicago Department of Housing. The property must also comply with the procedures for closing and reopening the Wait List as defined by CHA in accordance with their Admissions and Continued Occupancy Policy and Administrative Plan for the 42 units designated as part of the public housing program and LIHTC program. There are additional rights and responsibilities for applicants of the public housing program. Closing and reopening of the Wait List will be completed by the Chicago Housing Authority for these specific units designated under the program. As such the procedures listed below do not apply to units covered under the public housing program.

The Wait List for a specific unit size or type will be closed when the average wait is more than **three (3) years**. If the Wait List for a specific unit size or type is less than a **one (1) year** wait the Wait list will be reopened. The specific procedures stated in the Affirmative Fair Housing Marketing Plan will be followed when reopening the list. This includes closing and prior to each reopening of the Wait List, a notice announcing the reopening and providing information on the rules regarding how, when, and where to apply will be done based on the outreach methods as listed in the AFHMP. Upon update of the AFHMP the agency and sources will be updated in accordance with the plan, if applicable.

#### Record of Changes on a Waiting List



The property must comply with the procedures for recording changes to the Wait List as defined by CHA in accordance with their Admissions and Continued Occupancy Policy and Administrative Plan for the 42 units designated as part of the public housing program and LIHTC program. There are additional rights and responsibilities for applicants of the public housing program. Recording of changes to the Wait List will be completed by the Chicago Housing Authority for these specific units designated under the program. As such the procedures listed below do not apply to units covered under the public housing program.

The waiting list will provide a record that can be easily audited. Documentation of an action taken regarding an application will be maintained in the wait list file for the applicant household. This will include any changes (additions/deletions), approvals, withdrawals and rejections. The waiting list will provide information allowing activities relating to the status of an application to be easily traced. Such data may also be needed for documentation for related legal actions.

#### Record Keeping of a Waiting List

The property must comply with the procedures for recordkeeping of the Wait List as defined by CHA in accordance with their Admissions and Continued Occupancy Policy and Administrative Plan for the 42 units designated as part of the public housing program and LIHTC program. There are additional rights and responsibilities for applicants of the public housing program. Recordkeeping of the Wait List will be completed by the Chicago Housing Authority for these specific units designated under the program. As such the procedures listed below do not apply to units covered under the public housing program.

The following actions will apply for recordkeeping of the Wait List:

- A. Management must retain current applications as long as they are in active status on the waiting list.
- B. Once an application is removed from the waiting list, management must retain the application, initial rejection notice, applicant household's reply, owner's correspondence and all related documentation for no less than three years from the date of removal.
- C. When an applicant household moves into the facility, the original application becomes a part of the household's permanent tenant file. This must remain in place during resident household's tenancy and for no less than 3 years after move-out.
- D. The waiting list and all related material must be kept in a secure location and access must be available only for authorized personnel. This will protect the confidentiality of this material.

### **13. Occupancy Size Standards**

Property management will follow occupancy standards that take into account the size and number of bedrooms needed based on the number of people in the household as well as any possible live-in aides. The occupancy standards comply with the following:

- A. Federal, State, and local fair housing and civil rights laws.
- B. Resident-landlord laws.
- C. Zoning restrictions.
- D. HUD's Equal Opportunity and nondiscrimination requirements under HUD's administrative procedures.

For the purpose of determining the unit size for which a household may be eligible; the following will be counted as members of the household:

- |   |  |
|---|--|
| a. Fulltime household members                 | f. Children temporarily in a foster home             |
| b. Unborn children                            | g. Children in joint custody 50% of the year or more |
| c. Children in the process of being adopted   | h. Children away at school but home for recess       |
| d. Children whose custody is being determined | i. Live-in aides                                     |
| e. Foster-children                            | j. Foster-adults                                     |



Occupancy Standards	
1 Bedroom	1 – 2 Persons*
2 Bedroom	2 – 4 Persons*
3 Bedroom	3 – 6 Persons*

\*Does not include live-in aide

Municipality's square footage occupancy standards should be reviewed, if applicable.

The property must comply with the occupancy standards as defined by CHA in accordance with their Admissions and Continued Occupancy Policy and Administrative Plan for the 42 units designated as public housing program and LIHTC program. There are additional rights and responsibilities for applicants of the public housing program. Occupancy standards will be in accordance with HUD guidelines including if the public housing program requires a household to transfer to a different unit in the public housing program due to being under or over housed.

Applicant households for LIHTC units that are not public housing units are required to meet the minimum occupancy standard for the unit size selected as listed above at initial occupancy. Management will compare household composition to the occupancy standard listed above to determine if the household is eligible for the unit size selected. Applicant households who do not meet the occupancy standard will be considered to be not qualified.

#### Live-in Aides

The property must comply with the definition and admission of a Live-in aide as defined by CHA in accordance with their Admissions and Continued Occupancy Policy and Administrative Plan for the 42 units designated as part of the public housing program and LIHTC program. There are additional rights and responsibilities for applicants of the public housing program. A Live-in Aide is defined as a person who resides with one or more elderly persons, near elderly persons or persons with disabilities and who: (a) is determined by a knowledgeable professional to be essential to the care and well-being of the persons or family member with a disability; (b) is not obligated to support the family member; and (c) would not be living in the unit except to provide the necessary supportive services per the federal code of regulations 24 CFR § 5.403.

Live-in aides are permitted at the property with prior written approval of reasonable accommodation from management. Applicant households or residents requiring the assistance of a Live-in aide are required to confirm by providing management with consent to verify the need via third party verification from the medical provider or appropriate professional. Management will screen the Live-in aide in accordance with the tenant selection criteria as listed in this plan and apply criteria to establish suitability for tenancy with the exception of the ability to pay rent in a timely manner. Live-in aides are not responsible for rent payments. The Live-in aide must provide management with identify documentation (i.e., photo id, social security number, birth certificate, or acceptable documentation to verify identity) and consent for management to screen and third party verify housing history, criminal background and sexual predator checks.

If the household size, with the addition of the Live-in aide, is greater than the size permitted by occupancy standards and if the building has an appropriate size unit, the resident household may request a transfer list for a larger apartment. Live-in aides may not bring other family members or pets with them as an Aide. Live-in aides are required to comply with the house rules established for the property. The Live-in aide is not considered part of the resident household or a participant of the lease and will not be permitted to remain in the unit after the resident for whom the aide is providing care either permanently vacates or leaves the building for more than fifteen (15) days. Live-in aides have no rights as remaining family members upon death, eviction, departure, or abandonment of the resident or the family member with a disability requiring the Live-in aide's services

#### 14. Transfer Policies



The property must comply with the transfer policies and procedures as defined by CHA in accordance with their Admissions and Continued Occupancy Policy and Administrative Plan for the 42 units designated as part of the public housing program and LIHTC program. There are additional rights and responsibilities for applicants of the public housing program. As such the process for transfer of households occupying public housing units will be coordinated with the Chicago Housing Authority. If there is a conflict between the transfer policies listed below and Chicago Housing Authority public housing program, the prevailing procedure should be that of the Chicago Housing Authority.

The Transfer Policy implemented by Management is available for viewing in the Management Office. The priority of transfer will be evaluated on a "first come - first serve" basis (the order in which the household's written request for transfer was approved for placement on the Transfer Waiting List) based on the following categories:

### **1st Priority**

Existing tenant need for **reasonable accommodation for medical reasons or need for an accessible unit**. This type of transfer request will require 3<sup>rd</sup> party verification of need from the medical provider or appropriate professional before the transfer can be approved and tenant placed on the Transfer Wait List.

### **2nd Priority**

**Internal or external transfers due to documented evidence relating to a victim under VAWA.** Internal and external transfer requests due to incidents of VAWA will be evaluated based on documented evidence in accordance with the VAWA Notice of Occupancy Rights and Emergency Transfer Policy. The VAWA Notice of Occupancy Rights are provided upon request and at time of application, lease, and any notice of termination in accordance with the requirements of HUD and LIHTC requirements, if applicable. The Emergency Transfer Policy is available in the Management office for review.

Transfers not related to the above noted categories will be given equal treatment, in accordance with the date and time of the request. Verification or supporting documentation for transfer request may be required. Approval of the transfer request must not negate any requirement under the program, project, HUD or LIHTC guidelines, if applicable.

The property will cover the routine turnover cost for apartment preparation (i.e., painting, carpet cleaning/replacement), for those residents needing a transfer due to "need for accessible unit", or "reasonable accommodation". Damages beyond normal wear and tear will be billed to any transferring household.

Vacancies for a unit will be filled in the following manner: After two (2) qualified existing tenants are transferred, one (1) Wait List applicant will be housed, as applicable, if current residents exist on a Transfer List for a unit. If there are no existing tenants on the Transfer List then priority will be given to Wait List applicants within the categories as state above.

## **15. Amending the Tenant Selection Plan**

This plan may be amended only with the prior written approval of the City of Chicago Department of Housing and the Chicago Housing Authority. Applicants will be notified in writing when the resident selection plan undergoes significant change or when preferences are added or removed. It is the applicant household's responsibility to inform the management office, in writing, of any change in address or contact information. At that time, applicants will be:

- 1) Given an opportunity to review the changes in the plan
- 2) Notified of changes to preferences
- 3) Asked if they wish to remain on the waiting list

If the applicant household does not respond, that household will be deemed ineligible and removed from the waiting list.

The current resident selection plan, in place at the time of final eligibility determination, will be used to make a final decision to approve or reject the application. A copy of the current Tenant Selection Plan is available for review in the Management Office.

## **16. Records Management**





Property Management will ensure that any:

- criminal record received from a tenant screening or law enforcement agency is maintained confidentially and not misused or improperly disseminated.
- EIV verification information is maintained confidentially and not misused or improperly disseminated. Records will be destroyed in accordance with HUD guidelines.
- information gathered under VAWA is maintained confidentially and not misused or improperly disseminated

#### **17. Pets**

The property has a no-pet policy. The need for an Assistance, Service, or Support Animal is verified prior to the animal's occupancy and in accordance with the Assistance, Service, or Support Animal Policy of the property. Visiting pets and 'pet-sitting' for others' pets are not permitted. A visitor's service animal is permitted.

#### **18. Business Relationship**

The relationship between a landlord and an applicant/resident is a business relationship. A courteous and businesslike attitude is required by both parties. To ensure the privacy of property staff, property residents and applicants, applicants and residents are asked to refrain from use of cell phones or other electronic devices by residents or applicants, except those necessary to alleviate the symptoms of a disability, while in the management office or Administration Central Office.

Aside from standard property charges incurred at lease signing (security deposits, pet deposits, if applicable and 1<sup>st</sup> months' rent), property staff is not permitted to accept any money, gifts, services or favors connected with the application process or associated with any aspect of residency on this property. All charges must be by check or money order. Cash will NOT be accepted.

