



TENANT SELECTION PLAN (TSP) FOR LATHROP ELDERLY

Revised April 2018

TENANT SELECTION PLAN FOR LATHROP ELDERLY

I. INTRODUCTION

This Tenant Selection Plan (TSP) outlines the policies and procedures the Chicago Housing Authority's (CHA) Board of Commissioners has adopted regarding the selection of tenants for Lathrop Elderly (the Development).

All of the units at Lathrop Elderly are Substantial Rehabilitation Program and Low-Income Housing Tax Credit (LIHTC) units. They are regulated by the requirements of the Substantial Rehabilitation Program, the Low-Income Housing Tax Credit Program, and the Bond Program. Applicants must also meet the requirements of the Substantial Rehabilitation Program, the LIHTC Program, and the Bond Program as well as any other applicable programs (Other Programs).

Eligibility Requirements for LIHTC

Income

The income limits used by the Property Manager for admission are established by HUD and usually change on an annual basis. In no case will an applicant be admitted to a LIHTC unit if the applicant family's income exceeds the LIHTC income limits. Additionally, an applicant must earn enough gross income to satisfy Agent of an ability to pay the rental amount. Generally, except for persons who are using a housing choice voucher to rent the unit or Public Housing Applicants, the applicant must earn at least 3 times the rental amount. The Agent, based on market conditions, may adjust this amount from time to time.

Other Requirements

Applicants must meet all other LIHTC Program requirements including, but not limited to, any eligibility requirements for students.

A. Tenant Type

The Development will offer an elderly preference for applicants whose head of household, spouse, or sole member is a person who is at least 62 years of age. See Section V. B.

B. Rental Units

The Development will offer 91 rental units.

C. Rent

1. Rents at the Development are subsidized by the Housing Assistance Payment (HAP) Contract. The HAP Contract provides a subsidy payment for the difference between the rent for the unit and the tenant's contribution. A tenant's rent is calculated based on 30% of adjusted monthly income, 10% of gross monthly income, or the minimum rent, whichever is greater. Therefore, the rent paid by tenants may vary.
2. Minimum rent for the Development is \$75.00, but in no case shall the LIHTC rent exceed the maximum rent allowable under Section 42 of the Internal Revenue Code of 1986, as amended.
 - a. A hardship exemption shall be granted to tenants who can document that they are unable to pay the minimum rent. Management is required to suspend the minimum rent until the hardship ceases.
 - b. If the documentation demonstrates that the hardship is temporary (lasting less than 90 days), the tenant must repay the suspended minimum rent when the hardship expires. Management is required to grant the tenant a reasonable repayment agreement.
 - c. If the documentation demonstrates that the hardship is long-term (lasting more than 90 days), the tenant does not have to repay the suspended minimum rent.
 - d. Long-term and short-term exemption from minimum rent does not mean that the tenant does not pay rent. The tenant is required to pay the greater of 30% of adjusted monthly income or 10% of monthly income regardless that the amount is less than the minimum rent.

D. Non-discrimination: Section 504, Fair Housing Act, and the Civil Rights Act

1. Section 504 of the Rehabilitation Act of 1973 (Section 504)

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs that receive federal financial assistance. Section 504 provides for broader affirmative obligations on Management to make their programs and activities, as a whole, more accessible to persons with a disability. Said obligations include the following:

- a. Making and paying for reasonable structural modifications to units and/or common areas that are needed by applicants and tenants with disabilities, provided that these modifications do not change the fundamental nature of the project or result in undue financial and administrative burdens;
- b. Operating housing that is not segregated based upon disability or type of disability, unless authorized by federal statute or executive order;
- c. Providing auxiliary aids and services necessary for effective communication with persons with a disability;
- d. Performing a self-evaluation of Management's programs and policies to ensure that they do not discriminate based on disability; and
- e. Developing a transition plan to ensure that structural changes are properly implemented to meet program accessibility requirements.

Section 504 also establishes accessibility requirements for newly constructed or rehabilitated housing, including providing a minimum percentage of accessible units.

A recipient of federal financial assistance that employs 15 or more persons shall designate at least one person to coordinate its efforts to comply with Title 24, Part 8 Non-Discrimination Based on Handicap in Federally Assisted Programs and Activities of HUD.

The CHA has designated a Section 504 Coordinator to comply with Title 24, Part 8 Non-Discrimination Based on Handicap in Federally Assisted Programs and Activities of HUD.

Written communications to tenants, applicants, and to the general public must include a section that identifies the Section 504 Coordinator.

2. Fair Housing Act

The Fair Housing Act, as amended in 1988, prohibits housing discrimination on the basis of race, color, religion, sex, disability, familial status, and national origin. The Fair Housing Act's coverage includes private housing, housing that receives federal financial assistance, and state and local government housing. It is unlawful to discriminate in any aspect of selling or renting housing or to deny a dwelling to a buyer or renter because of the disability of that individual, an individual associated with the buyer or renter, or an individual who intends to live in the residence. Fair Housing Act obligations include:

- a. Management will not refuse, either directly or indirectly, to rent or negotiate for the rental of a dwelling based on race, color, religion, sex, disability, familial status, and national origin;
- b. Management will not (i) engage in activities that steer potential tenants away from or toward particular units by words or action; (ii) make housing units and related services unavailable to any potential tenants; (iii) purposely provide false information to applicants about the availability of units that limits the living options of prospective tenants; and (iv) deny or limit services based on race, color, religion, sex, disability, familial status, and national origin;
- c. Management will market available units in a nondiscriminatory manner; and
- d. Management will acknowledge that it is unlawful to coerce, intimidate, threaten or interfere with any person's exercise or enjoyment of any Fair Housing right.

The Fair Housing Act requires housing providers to make "reasonable accommodations" to persons with disabilities. This means an owner must modify rules, policies, practices, procedures, and/or services to afford a person with disabilities an equal opportunity to



participate fully in the housing program and to use and enjoy the housing, common areas, or facilities.

3. Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 ensures that no person, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

E. Identifying People with Needs for Reasonable Accommodations

1. Management will provide every applicant and tenant the opportunity to communicate, orally or in writing, their need for a reasonable accommodation or the features of an accessible unit because they or someone in their family has a disability.
2. A reasonable accommodation is a change, exception, or modification Management can make to units, buildings, policies, practices, or procedures that will afford an otherwise eligible applicant or tenant with a disability to participate fully in the housing program and to use and enjoy the housing, common areas, or facilities.
3. An accommodation is not reasonable if it causes an undue financial and administrative burden or represents a fundamental alteration in the nature of the housing program.
 - a. If the accommodation results in an undue financial burden, Management must take any other corrective action that would not result in an undue burden.
 - b. If a requested structural modification constitutes an undue financial and administrative burden, and the tenant still wants the particular modification, the Fair Housing Act authorizes the tenant to make and pay for the accommodation. Where reasonable to do so, Management may require that the tenant restore the interior of the premises to the state that existed before the modification, reasonable wear and tear excepted.
4. An applicant or tenant that has a household member with a disability must still be able to meet essential obligations of tenancy.
5. Reasonable accommodations may be requested by the applicant or tenant with a disability unless the individual is a minor or cannot make the request as a direct result of his/her disability. In this case, the applicant or tenant's designee may request the reasonable accommodation.
6. If applicants or tenants do not inform Management of their disability needs or if they are unwilling to disclose their disability (not the nature or severity), Management is not obligated to make reasonable accommodations.

II. ELIGIBILITY REQUIREMENTS

All applicants must meet the eligibility requirements of the Substantial Rehabilitation Program, the LIHTC Program, the Bond Program, and the requirements of all Other Programs as well as the requirements of any applicable court orders or decrees.

A. Income

The annual gross income of the applicant(s) must be less than or equal to 60% of area median income (AMI) as established by HUD.

The income limits used by Management for admission are established by HUD and published on an annual basis. In no case will an applicant be admitted to a LIHTC unit if the applicant family's income exceeds the LIHTC income limits. Pursuant to tax credit regulations, once in occupancy, tenants who exceed LIHTC income limits will not be forced to move, if they pay fair market rent.

**B. Sole Residence**

The unit must be the applicant's sole residence in order for the applicant to be eligible for housing and the applicant must not be receiving other federal housing subsidies.

C. Citizenship Requirements

Only applicants and tenants who are United States citizens and eligible non-citizens may benefit from federal rental assistance. Specifics regarding citizenship requirements and the documentation process are provided in Addendum 1 attached to this TSP.

D. Certification of Social Security Numbers

All applicants and tenants (including each member of the household) are required to disclose his/her assigned Social Security Number (SSN), with the exception of the following individuals:

1. Those individuals who do not contend to have eligible immigration status (individuals who may be unlawfully present in the United States). These individuals in most instances would not be eligible for a SSN. See Addendum 2 for program eligibility.
2. Existing program participants as of January 31, 2010 who have previously disclosed their SSN and it has been verified using EIV.
3. Existing program participants as of January 31, 2010, who are 62 years of age or older, and had not previously disclosed a valid SSN.

Timeframe for Providing SSN:

1. Applicants must disclose and provide verification of SSN for all non-exempt household members before they can be housed
 - a) The applicant who has not disclosed and/or provided verification of Social Security Numbers for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose and/or verify the SSNs. After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant will be determined ineligible and removed from the waiting list.
 - b) All non-exempt tenants must disclose and provide verification of their SSN at the time of their next interim or annual recertification.
 - c) When a tenant requests to add a household member under the age of six, who does not have a SSN, the tenant is given 90 days in which to provide the documentation. An additional 90 days will be granted if the failure to provide document of a SSN is due to circumstances that are outside the control of the tenant. Extensions may be granted in accordance with HUD regulations.

E. The Violence Against Women Act

The Violence Against Women Act (VAWA) protections apply to families applying for or receiving rental assistance payments under the project-based Section 8 program. The law protects victims of domestic violence, dating violence or stalking, as well as their immediate family members generally, from being evicted or being denied housing assistance if an incident of violence that is reported and confirmed. The Violence Against Women Act also provides that an incident of actual or threatened domestic violence, dating violence or stalking does not qualify as a serious or repeated violation of the lease nor does it constitute good cause for terminating the assistance, tenancy, or occupancy rights of the victim. Furthermore, criminal activity directly relating to domestic violence, dating violence or stalking is not grounds for terminating the victim's tenancy.

III. TAKING APPLICATIONS PROCESS

- A. Applications for housing will be accepted electronically on CHA's website. The waitlist will remain open and will be managed by CHA.

- B. If an applicant is determined to be ineligible based upon the information provided on the application, Management must notify the applicant in writing specifying the reason for ineligibility and informing the applicant that they can meet with Management to discuss the reason for ineligibility.
- C. The wait list will be maintained electronically and will contain the following information:
 - 1. Applicant name;
 - 2. Accessibility requirements;
 - 3. Number of persons in the household;
 - 4. Household unit size (based on the number of bedrooms the applicant qualifies for under Section X.);
 - 5. Date application was received;
 - 6. Certification for any preference;
 - 7. Annual income; and
 - 8. Targeted program qualifications.
- D. Applicants provide self-certification of their race and ethnicity for data collection by using the Race and Ethnic Data Reporting Form (HUD-27061-H). Completing this form is optional and there is no penalty for not completing it.
- E. All applications will be maintained in order of preference. Applications equal in preference will be maintained by date sequence.

IV. MANAGING THE WAIT LIST

A. Affirmative Marketing Plan Requirements

Management will be responsible for affirmatively marketing the Development. . Management will provide a copy of the Affirmative Fair Housing Marketing Plan to applicants upon request for review.

B. Changes in Income or Household Composition

- 1. Applicants must notify Management or update their information on CHA's applicant portal when the following changes occur:
 - a. Address;
 - b. Telephone number, including Teletype for the Deaf (TTD) number;
 - c. Household composition;
 - d. Preference status; and
 - e. Household Income.
- 2. If a change in the applicant's household composition results in a need for a different unit size, Management will update the application or the applicant may update the information on CHA's applicant portal.

If the new unit size that is needed does not exist in the Development, the applicant will be informed in writing that Management cannot house them and their application will be removed from the wait list.

- 3. Whenever status changes occur, such as in family composition, preference, or unit size, Management must document the change or provide justification for why a name should be removed from the waitlist.
- 4. If an applicant notifies Management of a change in income which exceeds eligibility, written notice will be given advising the applicant that they no longer meet the eligibility requirements and the applicant's name will be removed from the wait list.

C. Updating the Wait List

Applicants will be required to update their electronic application annually. Failure to comply with this requirement may result in applicants being removed from the waitlist.

D. Reinstatement to the Wait List

If an applicant has good cause for not responding to the required waitlist update, they may be reinstated to the wait list. The applicant will be notified of the decision in writing.

V. SELECTION FROM THE WAIT LIST

When a unit becomes available, an offer for housing will be made to the next applicant on the wait list based on date and time of application, preferences, income targeting, and screening practices, except as otherwise permitted under the regulatory requirements.

A. Income Targeting

1. The Development is required to comply with the income targeting requirements of the Housing Assistance Payments ("HAP") contract and at the initial renting of units, lease at least 30% of the contract-assisted units to very low-income families.
2. For any units that become available for occupancy in any fiscal year, the Development is required to comply with the income targeting requirement of leasing not less than 40% of the HAP contract-assisted dwelling units to extremely low-income families.
3. The method with which to achieve this requirement is to alternate between the first extremely low-income applicant on the wait list and the applicant at the top of the wait list (regardless of income level).

This method is implemented by selecting the first extremely low-income applicant on the wait list (bypassing applicants on the wait list with higher incomes) for the next available unit. Then the next eligible applicant currently at the top of the wait list is selected for the next available unit. As subsequent units become available, tenant selection continues to alternate between the next extremely low-income applicant and the eligible applicant at the top of the wait list until the 40% target is reached. Once the target is reached, Management will select applicants from the top of the wait list.

4. Actual admissions must be monitored to ensure that at least 40% of admissions are extremely low-income families.
5. If Management actively markets to extremely low-income families but is unable to attract a sufficient number to lease 40% of available units during the year to extremely low-income families, Management may lease to other eligible applicants. However, Management must continue to advertise to extremely low-income families.
6. To market adequately, Management must, at a minimum, advertise in the locality and conduct outreach to local organizations serving the extremely low-income population for no less than 30 days and maintain documentation of the marketing efforts.

B. Preferences For Admissions

1. Each applicant will be provided with a description of all preferences at the time of application. Applicants self-certify that they qualify for a preference at the time of application. Applicants are required to provide verification whether the household qualifies for a preference when a unit becomes available.
2. An eligible applicant who qualifies for a preference will be selected from the wait list before other applicants who do not have a preference. All applicants must be screened by Management using the selection criteria in Section VIII before admission to the Development.

3. The following preferences in selecting families from the wait list will apply:

Primary Preference

a. Applicants Displaced by Government Action Preference

Preference for admission to the Development will be applied at admission after Priority One families are housed. Preference for admission to Development will include eligible applicants who have been displaced by government action or a presidentially declared disaster.

b. Violence Against Women Act (VAWA)

Preference for admission to the Development will be applied at admission after Priority One and Priority Two families are housed. Preference for admission to the Development will include applicants who can provide documentation that they have been displaced by domestic violence, sexual violence, dating violence, or stalking.

c. Elderly Family Preference

Elderly families have a preference for 90% of the units at the Development. [Eighty-one (81) units are reserved for elderly families.]

d. Non-Elderly Disabled Family Preference

Non-elderly disabled families have a preference for 10% of the units at the Development. [Ten units (10) are reserved for non-elderly disabled families.]

e. The Development will apply the following secondary preferences if there is an insufficient number of applicants who qualify for the preference in b and c of this section.

i. *Preference for near-elderly disabled families in units reserved for elderly families.*

If Management determines that there are an insufficient number of elderly families who have applied for occupancy to fill all the vacant units in the Development reserved for elderly families (that is, all units except those reserved for the non-elderly disabled families as provided in paragraph c of this section), Management may give preference for occupancy of such units to disabled families who are near-elderly families.

ii. *Preference for near-elderly disabled families in units reserved for non-elderly disabled families.*

If Management determines that there are an insufficient number of non-elderly disabled families to fill all the vacant units in the Development reserved for non-elderly disabled families as provided in paragraph c of this section, Management may give preference for occupancy of these units to disabled families who are near-elderly families.

f. If there are an insufficient number of families available for whom the elderly preference, non-elderly disabled preference, and secondary preferences have been given, Management shall make units generally available for occupancy by families who have applied and are eligible, without regard to preferences.

To make a determination that there are an insufficient number of applicants who qualify for the preferences, including secondary preferences, provided by this section, Management must:

i. Conduct marketing in accordance with 24 CFR §880.601(a) to attract applicants

qualifying for the preferences and reservation of units set forth in this section; and

ii. Make a good faith effort to lease to applicants who qualify for the preferences provided in this section, including taking all feasible actions to fill vacancies by renting to such families.

4. Families that do not qualify for a preference will be categorized as “No-Preference” applicants.

C. Verification of Preferences

When a unit becomes available, an applicant who certified a preference at the time of application must provide information and documentation so that Management can conduct third-party verification of the preference.

D. When a Preference is Denied

1. If it is determined that an applicant does not meet the criteria for receiving a preference, the applicant will receive a written notice of this determination from Management and be placed back on the wait list without a preference by date of application. The notice will contain a brief statement of the reasons for the determination and indicate that the applicant has the right to meet with the Management's designee to review this decision. If the applicant requests a meeting, it will be conducted by a person or persons designated by Management.
2. Denial of a preference does not prevent the applicant from exercising any legal rights the applicant may have against Management.

E. Contacting Persons on the Wait List

Applicants on the wait list will be contacted as follows:

1. When a unit becomes or will become available within 30 days, Management will submit a request for names from the waitlist.
2. Management will contact the selected applicant by first class mail, email, and will call all phone numbers referenced for the applicant (including the emergency contact). The letter will specify the date and time for the applicant to attend an open house and the time period by which the applicant is to respond to the outreach. Those applicants who do not respond or who do not respond timely as specified in the communication from Management may be removed from the waitlist.

F. Unit Transfers

Below are types of unit transfers that take precedence over new admissions from the wait list when vacancies occur at the Development. The order for these transfers is:

1. First, Emergency Transfers - A unit transfer for current households residing in a unit within the Development that has been designated as uninhabitable by federal, state, local municipalities, or Management due to fire, flood, or other natural disaster or VAWA.
2. Second, Mandatory Administrative Transfers – examples include but are not limited to:
3. a. A unit transfer to resolve a life-threatening problem not covered under VAWA and not related to building or unit conditions yet puts the tenant's life in danger.
4. b. Accessible Unit Transfers A unit transfer based on the need for an accessible unit.
5. c. A unit transfer due to a change in household composition or family size, a medical reason certified by a doctor, or scheduled unit rehabilitation.

Tenant-initiated transfers (i.e. all transfers other than those listed in Sections F. above) will be conducted after new admissions. A tenant must have been in residency for at least one year to request a transfer. These transfers will be processed in the order in which they were requested.

VI. SCREENING PROCESS

Once an applicant has responded to Management's outreach, the screening process can commence.

A. Screening Interview

1. Management must interview an applicant and obtain current information on the family's circumstances, their financial and income information, as well as signature from all members of the applicant household age 18 years and over on the Authorization for Release of Information and verification consent forms.
2. An applicant's status as a victim of domestic violence, dating violence or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission

- B. Management will employ the use of HUD's Enterprise Income Verification (EIV) Tenant Search system during the applicant eligibility screening, which shows whether applicants, or any household members, are currently residing at another HUD Multifamily Housing or Public and Indian Housing site. EIV then will be used on all residents at their interim and annual recertifications to check the records kept by certain public agencies.

C. Application Requirements

The following information will be used to determine program eligibility for applicant's who are seeking housing at the Development.

1. The head of household must complete a written application certifying the accuracy of all information that is provided. The applicant will be provided with the appropriate disclosures concerning the Privacy Act.
2. A credit report will be ordered to determine whether the applicant has a history of non-payment of rent and utilities.
3. Enterprise Income Verification (EIV) will be used to determine if applicants are receiving Section 8 assistance from their current landlord.
4. A criminal background check will be obtained for all members of the household age 18 years and over.
5. Verification of employment, income, bank accounts, and other assets is required as applicable for each member of the household age 18 years or older.
6. Verification of the head of household's previous housing for two years is required. This will include references from previous landlords. If applicable, it will also include verification for those who were homeowners or lived with parents or guardians.
7. Proof of U.S. citizenship or eligible non-citizen status for all members of the household is required.
8. Verification of SSN or certification that no SSN has been assigned for all members of the household is required.

D. Completion of the Application Process

All applications will be processed within 30 calendar days of the date of the applicant's initial interview or within five business days of receipt of all required documentation, whichever is later.

VII. VERIFICATION

In conjunction with the application process, Management shall require necessary documentation needed to verify information the applicant has provided. The applicant (and other household members as Management designates) may be required to execute a release and consent form(s) authorizing any person, firm, or association, including any federal, state or local agency to furnish or release to Management such information as Management determines to be necessary. Verification of eligibility, suitability, and preferences, along with any other information, is to be accomplished by thorough evaluation of documentation submitted by the applicant or received from third parties, including:

- A. Verification of age of household members when the sole factor determining eligibility is age, or to support exemptions claimed for minors;
- B. Anticipated family size change within the next 12 months;
- C. Student Eligibility:

Management must determine a student's eligibility for Section 8 assistance at move-in, annual recertification, initial certification (when an in-place tenant begins receiving Section 8), and at the time of an interim recertification if one of the family composition changes reported is that a household member is enrolled as a student.

Section 8 assistance shall not be provided to any individual who:

- a. Is enrolled as either a full-time or part-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential;
- b. Is under the age of 24;
- c. Is not married;
- d. Is not a veteran of the United States Military;
- e. Does not have a dependent child;
- f. Is not a person with disabilities;
- g. Is not living with his or her parents who are receiving Section 8 assistance; and
- h. Is not individually eligible to receive Section 8 assistance **and** has parents, individually or jointly, who are not income eligible to receive Section 8 assistance.

Section 8 assistance shall be provided to a student who can demonstrate the absence of, or his or her independence from, parents. To be eligible the student must meet, at a minimum, **all** of the following criteria:

- a. Be of legal contract age under state law;
- b. Have established a household separate from parents or legal guardians for at least 1 year prior to application for occupancy, **or**, meet the U.S. Department of Education's definition of an independent student;
- c. Not be claimed as a dependent by parents or legal guardians;
- d. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

Any financial assistance a student receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education that is in excess of amounts received for tuition and other required fees and charges is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance.

If an ineligible student is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated in accordance with the guidance in paragraph 8-6A.

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

- D. All applicants and tenants (including each member of the household) are required to disclose his/her assigned Social Security Number (SSN), with the exception of the individuals listed in Section II.E. of this TSP. Verification of the SSN will be done through HUD's EIV system. The following documents represent acceptable evidence of the SSN:

1. An original SSN card issued by the SSA;
 2. A driver's license, identification card issued by a federal, state or local agency that contains the name and SSN of the individual;
 3. Identification card issued by a federal, State, or local agency, a medical insurance provider, or an employer or trade union;
 4. Bank Statement;
 5. Retirement benefit letter;
 6. Life insurance policy
 7. Court Records.
- E. Disability, handicap, veteran, or serviceman status when they are a factor in determining eligibility. For persons who claim disability but are not recipients of benefits under Section 223 of the Social Security Act or Section 102(b)5 of the Developmental Disabilities Services and Facilities Construction Amendment of 1970, a doctor's certification as to the degree and possible length of such disability shall be required. The receipt of veteran benefits for a disability, either service incurred or otherwise, does not automatically establish eligibility for disability; and
- F. Eligible immigration status.

VIII. SELECTION AND REJECTION CRITERIA

In addition to the eligibility requirements under Section II, Management will also consider the ability of the applicant to fulfill the obligations of tenancy, including but not limited to paying rent and other charges, caring for and avoiding damage to a unit and common areas, and refraining from engaging in activities that would threaten the health, safety, or right of peaceful enjoyment of the premises by others. An applicant may be rejected for one or more of the following reasons:

A. Insufficient/Inaccurate Information

1. Inability to disclose and document SSNs of all household members not executing a certification stating that no SSNs have been assigned. For household members who are under the age of six and do not have an assigned SSN, the applicant must provide Management with an acceptable form of SSN verification referenced in Section 7.D. of this TSP within ninety (90) calendar days. If the household is unable to provide acceptable evidence of the member who is under six within this timeframe, Management may determine to extend the verification for an additional ninety (90) days based upon circumstance that could not have reasonably been foreseen and were outside the control of the family.
2. Including a household member who:
 - a. Did not declare U.S. citizenship;
 - b. Did not declare eligible non-citizenship status and sign a verification consent form; or
 - c. Failed to sign a statement electing not to contend that they have eligible status. However, Management will permit families to revise their application to exclude proposed household members who do not declare citizenship or eligible non-citizen status.
3. Not signing and submitting verification consent forms or the Authorization for Release of Information (forms HUD-9887 and HUD-9887-A).
4. Refusing to cooperate fully in all aspects of the application process or intentionally supplying false information related to eligibility, preference for admission, housing history, household composition, or rent information.
 - a. Unintentional mistakes that do not confer any advantage to the applicant will not be considered as supplying false information.

B. Credit and Financial Standing

1. Unsatisfactory history of meeting rent and utility obligations in a timely manner for the last two years.
 - a. The applicant's general credit rating and history of payments other than for rent or utilities will not be considered to qualify and applicant.
 - b. Medical-related expenses and student loans must be exempt when reviewing delinquent debts.
 - c. Special circumstances will be considered in instances where credit has not been established (income, age, marital status, etc.) and lack of credit history will not cause an applicant to be rejected.
2. Inability to obtain utilities in his or her own name.
3. Any household members owing debts to a federal housing program.
4. If an applicant is rejected based on a credit report, he or she will be provided in writing with the reasons for rejection and given the name of the credit bureau that performed the credit check. Applicants will also be given 14 calendar days to dispute any information on the credit report.

C. Criminal Convictions/Current Drug Use

1. A household containing a member(s) who was evicted in the last three years from federally-assisted housing for drug-related criminal activity. Management may, but is not required to, consider two exceptions to this provision:
 - a. The evicted household member has successfully completed an approved, supervised drug rehabilitation program or
 - b. The circumstances leading to the eviction no longer exist (i.e., the household member no longer resides with the applicant household).
2. A household containing a member(s) who is currently engaged in illegal use of drugs for which Management has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other tenants;
3. A household containing a member(s) who is subject to a state sex offender lifetime registration requirement or the ten-year Illinois State Sex Offender Registration Act;
4. There is reasonable cause to believe that a household member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other tenants;
5. A household containing a member(s) who has ever been convicted of arson;
6. A household containing a member(s) who has ever been convicted of drug-related crime for the manufacture or production of methamphetamine on the premises of federally assisted housing;
7. A household containing a member(s) who has been convicted in the last three year(s) of crimes that involved physical violence to persons or property, which threaten the health, safety, and right to peaceful enjoyment of the property by other tenants, or the health and safety of Management employees, contractors, subcontractors, or agents of Management; or
8. A household containing a member(s) who has criminal convictions in connection with the manufacture or distribution of a drug or controlled substance within the last three year(s).

Management may give consideration to factors which may indicate reasonable probability of favorable future conduct, such as the appropriate household member can document completion of a supervised drug or alcohol rehabilitation program.

If Management uses a criminal background report as the basis to deny assistance, Management must provide the applicant with a copy of the criminal record and give the applicant an opportunity to dispute the record.

D. Household Composition

Household size or household composition was not appropriate for the unit sizes that are available at the Development.

E. Residential History

1. Management will verify the head of household's previous two years of residential history.
2. Management will consider the following circumstances with respect to the applicant or any other household member, and may be grounds for rejection of the application.
 - a. A record of:
 - i. Consistent failure to pay rent;
 - ii. Allowing unauthorized occupants (occupants not on the lease) to live in the unit on a regular basis;
 - iii. Disturbance of other tenants' rights, including physical violence, and enjoyment of the property;
 - iv. Destruction or vandalism of property; or
 - b. Lease and/or house rules violations.
 - c. Judgments in favor of a current or past landlord. A judgment that is not the fault of the tenant shall not be considered a judgment in favor of a landlord.
3. Criminal activity directly related to domestic violence, dating violence or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for rejection of the application of the victim of the criminal acts.
4. Applicants will not be rejected solely for a lack of rental history.

F. Unsanitary Housekeeping

Housekeeping will be considered. However, housekeeping criteria are not intended to exclude households whose housekeeping is only superficially unclean or disorderly if such conditions do not appear to affect the health, safety, or welfare of other tenants.

G. School Enrollment and Child Care

1. An applicant must provide documentation that household members between the ages of six and 17 that live in the household attend school regularly.
2. Adequate day care or supervision must be provided for children under 13 years old during non-school hours or days.

H. Rejection & Mitigation Procedures

1. Each rejected applicant will receive a written rejection notice.
2. The written rejection notice will include:
 - a. The specific reason(s) for the rejection and
 - b. The applicant's right to respond to Management in writing or request an informal hearing within 30 days of receipt of the notice to dispute the rejection.
3. Any informal hearing with the applicant or review of the applicant's written response will be conducted by a member of Management staff who did not participate in the decision to reject the applicant.
4. Those applicants who fail to attend a scheduled informal hearing should consider their rejection final.
5. During the informal hearing:
 - a. Applicants may choose, at their own expense, to be represented by a lawyer or other representative.
 - b. The applicant or their lawyer/representative shall be given the opportunity to examine evidence, question adverse witnesses, and to present testimony in their favor.

6. If the applicant appeals the rejection, the applicant will be given a final written decision from Management within ten business days of the applicant's written response or informal hearing.
7. If it is determined that the applicant is not eligible, the final written decision will state that the applicant has the right to request HUD review of the determination.
8. If the decision is reversed, the applicant will be offered the next available vacant unit of the appropriate size.

IX. APPLICATION ACCEPTANCE AND MOVE-IN PROCEDURE

- A. Management will notify applicants upon successful completion of the application process at which time arrangements will be made, including a specific time schedule, for lease signing and payment of security deposit and first month's rent.
- B. The applicant must pay the first month's rent and security deposit at the time the lease is signed. The security deposit is equal to one month's rent.
- C. An applicant who Management has approved for a unit must sign the lease, pay the rent and the security deposit, and take possession of the unit on the scheduled move-in date. An applicant who does not proceed with the move-in schedule may forfeit the designated unit. If an applicant wishes to move in at a later date, but within a 30 calendar day period of the date that the application was approved, Management may offer an alternate unit and move-in date based on availability.
- D. All applicants accepted for occupancy shall concurrently execute all applicable addenda and riders to the lease.

A. Assignment of Units with Accessible Features

1. Management must assign available accessible units in the following order:
 - a. First, to a current tenant with a disability residing in a non-accessible unit who requires the features of the unit and
 - b. Second, to the next eligible applicant with a household member who needs the features of the accessible unit.
2. When neither a current tenant nor an eligible applicant requires the features of the available accessible unit, Management may offer the unit to another non-disabled tenant or applicant. The tenant or applicant must sign a lease addendum (Exhibit C) stating that they will move to a non-accessible unit of the proper size within the same property when one becomes available.
3. In the case where the members of the tenant household who required the special features of the accessible unit no longer reside in the unit, the remaining members of the household must move to a unit without accessible features when one becomes available.

B. Verifying the Need for Accessible Units

1. An applicant or resident's need for an accessible unit will be verified. This process will occur when the unit has been modified for persons with a specific disability. For example, applicants who utilize wheelchairs may not be eligible for a unit that has been specifically modified for a person with a visual impairment.

C. Placing Families with Disabled Family Members

1. CHA must not skip over a family that has reached the top of the wait list and has indicated a need for an accessible unit because of a disability. The applicant may decide to accept a non-accessible unit and request some modification to the unit as a reasonable accommodation.

X. OCCUPANCY STANDARDS & UNIT ASSIGNMENT

D. Occupancy Standards

1. The following standards will determine the number of bedrooms required to accommodate a household of a given size, except that such standards may be waived when a vacancy problem exists and it is necessary to achieve or maintain full occupancy.

Number of Bedrooms	Minimum Number of Persons	Maximum Number of Persons
0	1	1
1	1	2

2. Occupancy standards must comply with federal, state, and local fair housing and civil rights laws; tenant-landlord laws; zoning restrictions; and HUD's equal opportunity and non-discrimination requirements under HUD's administrative process.
3. Management must review household size and occupancy standards prior to completing all the required verifications so that if the Development cannot accommodate the household, Management may immediately notify the household of ineligibility. Management must also review household size when there is a change in household composition. This review will determine if the household needs to transfer to another unit to avoid over housing or overcrowding.
4. The following occupancy standards will be applied to applicants and tenants:
 - a. No more than two persons will be required to share a bedroom regardless of age.
 - b. Voluntary sharing of bedrooms is acceptable in order to meet eligibility requirements for the size of units in the Development.
 - c. The head of household is not required to share a bedroom with anyone other than a co-head or spouse; *however*, may do so at the request of the household.
 - d. Adult household members who are spouses or living in a consensual relationship must share a bedroom.
 - e. Adult household members, not the head of household, of the same gender and of the same generation must share a bedroom.
 - f. Adult household members of opposite gender who are not spouses or living in a consensual relationship do not have to share a bedroom; *however*, they may do so at the request of the household.
 - g. A live-in aide will not be required to share a bedroom with another household member.
 - h. The largest unit a household will be offered is one bedroom per household member based on household size and composition. Exceptions to this guidelines are as follows:
 - i. A household needs a larger unit as a reasonable accommodation for a household member who is a person with a disability.
 - ii. No eligible household in need of the larger unit is available to move into the unit within 60 days, the Development has the proper size unit for the household but it is not currently available, and the household agrees in writing to move at its own expense when a proper size unit becomes available.
 - iii. A remaining member(s) of a household who is listed on the lease and has passed lease compliance screening may stay in the unit when no appropriately sized smaller unit is available.
 - i. If a household living at the Development has a change in composition which requires moving to a smaller unit and a smaller unit is or will be available, but the household refuses, Management cannot evict the household. The household may stay in the current unit and pay market rent, but may evict the household if it fails to pay the market rate carrying charge in accordance with the lease.

- j. If a household living at the Development has a change in composition which requires moving to a smaller unit, but no smaller unit exists within the development, Management cannot evict the household nor increase their rent to fair market rent.

IX. AMENDING THE HOUSE RULES AFTER OCCUPANCY

1. Management may institute house rules that are specific to each building or property. A copy of the house rules must be attached to the lease. Management must post the house rules in common areas.
2. Tenants must receive written notice of a proposed house rule change after occupancy at least 30 days in advance of the house rule being enforced.

XII. AMENDING THE TENANT SELECTION PLAN

- A. This TSP may be amended or modified periodically to incorporate changes in policy with prior written approval of the Limited Partner. Approval shall not be unreasonably withheld or delayed.
- B. Applicants will be notified by direct mail of any modifications or amendments to the TSP.
- C. Potential applicants will be notified by advertisement of the modifications or amendments to the TSP in at least three publications likely to be read by potential applicants.

XIII. GLOSSARY

A. Family includes but is not limited to:

1. A family with or without children;
2. An elderly family;
3. A near-elderly family;
4. A disabled family; or
5. A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family.

B. Elderly Family

Elderly family means a family whose head of household, spouse, or sole member is a person who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides.

C. Near-elderly Family

A near-elderly family is a family whose head of household, spouse, or sole member is a person with disabilities who is at least 50 years of age, but below the age of 62; or two or more persons with disabilities who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62, living with one or more live-in aides.

D. Disabled Family

A disabled family is a family whose head of household, spouse, or sole member is a person with disabilities. It may include two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides.

E. Non-elderly disabled family

A non-elderly disabled family is a family whose head of the household, co-head, or spouse is disabled and 18 to 49 years of age.

F. Extremely low-income

A family whose annual income does not exceed 30% of the median income for the area, as determined by HUD, with adjustments for household size.

G. Low Income Housing Tax Credit (LIHTC) Program

Any and all matters required by Section 42 of the Internal Revenue Code of 1986, as amended, and any implementing regulations

H. Other Programs

Any and all matters required by any legislation or regulations that apply to the units to which this TSP applies or to the financing programs for such units as well as any and all matters required by any agreements made as a condition for receipt of funds for the rehabilitation of the units to which this TSP applies.

I. Substantial Rehabilitation Program

Any and all matters required by the HUD's Section 8 Housing Assistance Payments Program – Substantial Rehabilitation, including those incorporated in 24 CFR Section 881, as amended, and any and all matters required by the HAP Contract, and any subsequent renewal thereof, entered into between HUD and the CHA for the units to which this TSP applies.

J. Bond Program

Any and all matters required by Section 142(d) of the Internal Revenue Code of 1986, as amended, and any implementing regulations.



EXHIBIT A

Race and Ethnic Data Reporting Form

**U.S. Department of Housing
and Urban Development**
Office of Housing

OMB Approval No. 2502-0204
(Exp. 10/31/2004)

Name of Property	Project No.	Address of Property
------------------	-------------	---------------------

Name of Owner/Managing Agent	Type of Assistance or Program Title:
------------------------------	--------------------------------------

Name of Head of Household	Name of Household Member
---------------------------	--------------------------

Date (mm/dd/yyyy): _____

Ethnic Categories*	Select One
Hispanic or Latino	
Not-Hispanic or Latino	
Racial Categories*	Select All that Apply
American Indian or Alaska Native	
Asian	
Black or African American	
Native Hawaiian or Other Pacific Islander	
White	
Other	

***Definitions of these categories may be found on the reverse side.**

There is no penalty for persons who do not complete the form.

Signature

Date

Public reporting burden for this collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits and voluntary. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is authorized by the U.S. Housing Act of 1937 as amended, the Housing and Urban Rural Recovery Act of 1983 and Housing and Community Development Technical Amendments of 1984. This information is needed to be in compliance with OMB-mandated changes to Ethnicity and Race categories for recording the 50059 Data Requirements to HUD. Owners/agents must offer the opportunity to the head and co-head of each household to "self certify" during the application interview or lease signing. In-place tenants must complete the format as part of their next interim or annual re-certification. This process will allow the owner/agent to collect the needed information on all members of the household. Completed documents should be stapled together for each household and placed in the household's file. Parents or guardians are to complete the self-certification for children under the age of 18. Once system