



Tenant Selection Plan



Mohawk North Redevelopment
Development

Project Number

MCL/ASD Limited Liability Company III
Owner's Name

Realty & Mortgage Co
Managing Agent's Name

This Tenant Selection Plan outlines the procedures that will be followed in selecting tenants for the 16 public housing condominium units located in the Development. The units covered by this TSP are described by unit numbers; B27, A28, C30, B31 C32, A33, A34, B36, C37, B39, B40, C41, B42, A45, A46 and A47

I. PROJECT ELIGIBILITY REQUIREMENTS

Project eligibility establishes whether applicants are eligible to reside in the specific project to which they have applied.

A. *Project Specific Requirements*

The Development's eligibility requirements are governed by the Regulatory and Operating agreement dated August 9th 2002 between the Owner and The Chicago Housing Authority and the FY2015 ACOP.

B. *Citizenship/Immigration Status Requirements*

By law, assistance in federal subsidized housing is restricted to US citizens or nationals and non-citizens who have eligible immigration status. This requirement applies to families applying to the property, families on the property's waiting list and current residents. All assistance is contingent upon submission and verification of citizenship or eligible immigration status. Acceptable forms of Eligible immigration status can be found in FY2015 ACOP Verification Procedure tab paragraph XI.

All applicants for assistance must provide evidence of citizenship or eligible immigration status at the time of application. Citizenship or eligible immigration status will be determined prior to any other eligibility verification. New family members in current households must provide their documentation at the first interim or regular annual examination after the person moves in to the unit. All family members must declare their citizenship or immigration status, regardless of age. Assistance may be prorated, denied or terminated if any or all family members are determined ineligible for assistance.

An applicant's citizenship or immigration status will be determined prior to move-in. As part of the annual or interim recertification process, the owner will determine the status of those family members whose information has not been previously collected and/or those family members whose documents indicated that their immigration status was likely to change. If a family member's status changes from ineligible to eligible, the family may request an interim recertification.

C. Social Security Number Requirements

1. Applicant

All applicant and tenant household members must disclose and provide verification of the complete and accurate social security numbers (SSNs) assigned to each household member to the owner. The head of household/co-head/spouse must disclose SSNs for all family members and provide documentation of SSN. Acceptable forms of evidence of social security number are listed in FY2015 ACOP Verification Procedure tab paragraph XIII.

The Applicant who have not disclosed or provided verification of the SSNs for all non-exempt household members has 90 days from the date they are first offered an available unit to disclose and/or verify SSNs for all non-exempt members.

An applicant family member who is under the age of 6, who does not yet have a Social Security Number (SSN) assigned to him/ her, and was added to the household within 6 months from move-in will not be denied occupancy to such applicant households.

2. Existing Tenants

Also tenants requesting 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 may be granted

if the failure to provide documentation of a SSN is due to circumstances that are outside the control of the tenant. This requirement affects all U.S. citizens, U.S. nationals and eligible noncitizens.

When adding a new household member who is age 6 or older, or is under the age of 6 and has a SSN, the tenant must disclose and provide verification of the SSN of the individual to be added to the household. The SSN must be provided to the owner at either at the time of the request or at the time the recertification that includes the new household member is processed.

While waiting for disclosure and verification of the SSN, the child will be included as part of the household and shall be entitled to all of the benefits of being a household member, including the dependent deduction.

If, upon the expiration of the provided time period, the tenant fails to disclose and provide verification of the SSN, the tenant and the tenant's household are subject to termination of tenancy. Management will follow the HUD guidelines to terminate the household's tenancy.

D. Sole Residence

The unit must be the applicant's sole residence in order for the applicant to be eligible for housing.

E. Student Eligibility Rule

1. A student's eligibility for assistance must be determined at move-in, annual recertification, initial certification, 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. "Tuition shall have the meaning given this term by the institution of higher education in which the student is enrolled. Examples of required fees include, but are not limited to writing and science lab fees and fees specific to the student's major or program (i.e., nursing program).

Expenses related to attending an institution of higher education must not be included as tuition. Examples of these expenses include, but not limited to, room and board, books, supplies, meal plans, transportation and parking, student health insurance plans, and other non-fixed sum charges".

Student status – for the purposes of programs only, appropriations require that the amount any financial assistance an individual receives in excess of amounts received for tuition and “other required fees and charges” will be considered income to that individual, except for a person over the age of 23 with dependent children.

2. Housing shall not be provided to any individual who:

- a. Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential;
- 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, as such term is defined in 3(b) (3) (E) of the United States Housing Act of 1937 (42 U.S.C. 1437a (b) (3) (E) and was not receiving section 8 assistance as of *November 30, 2005*;
- g. Is not living with his or her parents who are receiving assistance; and
- h. Is not individually eligible to receive assistance and has parents (the parents individually or jointly) who are not income eligible to receive assistance. (See paragraph 3-33 for verifying parents' eligibility.)

3. For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate the absence of, or his or her independence from parents. While owners may use additional criteria for determining the student's independence from parents, owners must use, and the student must meet, at a minimum all the following criteria to be eligible for assistance. The student must:

- a. Be of legal contract age under state law;
- b. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, or, meet the U.S. Department of Education's definition of an independent student. (See the Glossary for definition of Independent Student)
- c. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
- 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.

4. Any financial assistance a student receives (1) under the higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education that is in excess of amounts received for tuition is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance.

5. If an ineligible student is a member of an existing household receiving assistance, the assistance for the household will not be prorated but will be terminated in accordance with the guidance.

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.

Further, when determining the eligibility of a person, he/she must be disabled and is receiving assistance as of 11/30/05.

Other Eligibility Requirements

All student applicants for assistance must also meet all other program requirements that determine eligibility for the assistance.

Recertification of Students

Current student residents who already receive section 8 assistance will be recertified, as soon as practicable, to determine how they may be affected by the student rule. In no case can the eligibility and income requirements be implemented later than the next annual recertification.

A student currently receiving section 8 who is determined to be ineligible will have his or her assistance terminated.

II. INCOME LIMITS

HUD establishes income limits and revises them on an annual basis in order to ensure that only low-income families receive federal rental assistance. In order for an applicant to be eligible for occupancy, the annual income of the family must be less than or equal to the limits established by HUD for the appropriate household size.

III. APPLICATION & WAITING LIST PROCEDURES

A. *Pre-Applications*

Anyone who wishes to be admitted to an assisted property or placed on the property's Waiting List must fill out an application. By signing the application, the applicant certifies that the information they have provided is accurate and complete.

This application is considered a pre-application, an abbreviated application that provides the minimum information necessary to determine if the applicant is eligible for the program and should be put on the Waiting List. The remaining required information will be collected at the time a unit is available.

B. *Definition of Waiting Lists*

The CHA will maintain the waiting list. Names on each Waiting List will appear in the order of receipt with priority given to those who qualify for a Preference. Placement on a Waiting List, however, does not guarantee that the person is eligible or acceptable at the property.

C. *Contacting Persons on the Waiting List*

Applicants will be contacted through the following process: When the Manager anticipates a vacancy within 60 to 90 days The Property Manager should complete CHA's Occupancy departments Form 1 to request names from the waiting list and submit to the Project Coordinator copying the Asset Manager.

The Property Manager will send the First Outreach letter to each applicant provided form the waitlist. If no response within 5 days of mailing the Second Outreach letter will be sent in accordance with FY2015 ACOP Admission Procedures paragraph H.

All applicants will be screened according to criteria set forth by the CHA's ACOP.

When an interview is scheduled but the applicant fails to attend, an attempt will be made to contact the applicant by telephone. If there is no contact after three (3) attempts within forty-eight (48) hours, the applicant's name will be placed in the inactive file. If the applicant is contacted and the applicant had good cause, such as illness or accident, for failure to keep the original appointment, another

appointment will be scheduled. If the applicant again fails to attend the interview, the applicant's name will be placed in the inactive file.

D. Updating the Waiting List

The CHA is responsible for the updating and maintenance of the waiting list

E. Preferences

Preferences are used to determine the order applicants are selected from the Waiting List for housing assistance. They do not, however, guarantee that the person is eligible or acceptable at the property.

Preferences are not permitted if they in any way negate affirmative marketing efforts or fair housing obligations. Preferences are used to determine the order applicants are selected from the waiting list for housing assistance. They do not, however, guarantee that the person is eligible or acceptable at the property. Each of the following listed preferences which an applicant has will move the applicant ahead of other applicants not having such preferences.

The following actions will be given priority if applicable:

- a) A unit transfer because of household size.
- b) A unit transfer based on the need for an accessible unit.
- c) A unit transfer of a non-handicapped individual living in a handicapped accessible unit to accommodate a handicapped applicant on the waiting list.

Displaced Applicants: Preference will be given as follows:

- a) Displaced from an urban renewal area.
- b) Displaced as a result of a governmental action.
- c) Displaced as a result of a major disaster.

Persons with Disabilities: An applicant with disabilities will be given priority for accessible units if such applicant deems that this type of unit is appropriate. Management will not inquire whether an applicant for a dwelling, a person intending to reside in that dwelling unit after it is rented and made available, or any persons associated with that person, has a disability, or inquire as to the nature or severity of the disability of such a person.

Displaced Applicants: Applicants who have been displaced by government action or a presidentially declared disaster will be given priority for entry into available units. The applicant will be required

to show that he/she qualifies for this preference and this will be verified by third party verification.

Violence Against Women Act (VAWA): Applicants who fall into any of the VAWA categories (being a victim of domestic violence, dating violence, sexual assault or stalking) shall be given processing preference and priority and will be considered and screened for housing placement ahead of persons already on the Development's internal and external Waiting Lists.

F. Application Requirements

All applicants must complete a written application

Management will run a credit and criminal background check on all applicants and household members eighteen (18) years of age and older. The background check includes a check in the registered sex offender database.

Management will verify income, bank accounts, previous housing, childcare expenses, medical expenses, etc.

As previously stated, social security numbers must be provided and citizenship/eligible immigration status will be verified.

A home visit to assess the applicant's housekeeping habits will not be required of all applicants as a part of the approval process.

G. Selection and Rejection Criteria

Meeting the property's eligibility requirements does not mean that an applicant will be a suitable tenant. The ability of the applicant to fulfill lease obligations, along with any related explanation offered by the applicant concerning the facts involved, including any changes in circumstance, will be considered. An applicant may be rejected for one or more of the following reasons:

Insufficient/Inaccurate Information on Application: Refusing to cooperate in all aspects of the application process or supplying false information will be grounds for rejection.

Prohibition against Double Subsidy Occupancy: Under no circumstances may any tenant benefit from more than one subsidy at the same time. **Applicants will be screened using EIV's Existing Tenant Search to determine if they or any household members are currently residing at another Multifamily Housing**

or Public and Indian Housing location prior to and at the time of move in.

Prohibition Pertaining to Income Reports: EIV reports cannot be used for a tenant who has not signed the form HUD-9887. Per HUD guidelines, tenants are not required to report when a family member turns 18 years of age between Annual Recertifications. Therefore, as the newly turned adult resident does not have a signed HUD-9887, EIV reports cannot be used for the tenant. As the household does have to report any changes in income, the next Annual Recertification, or the next Interim, all adult residents in the unit will need to sign the corrected paperwork and a HUD-9887 can be obtained for the newly turned adult in the household and at that time EIV can be utilized for the resident.

Credit and Financial Standing: Unsatisfactory history of meeting financial obligations (including, but not limited to timely payment of rent, outstanding judgments or a history of late payment of bills) will be considered. If an applicant is rejected based on the credit report, Management will provide the applicant with the reason for rejection and give the name of the credit bureau which performed the credit check. Applicants will also be given two (2) weeks to dispute any information on the credit report.

The inability to verify credit references may result in rejection of an applicant. Special circumstances will be considered in which credit has not been established (income, age, marital status, etc.) and lack of credit history will not cause an applicant to be rejected.

The applicant's financial inability to pay his/her monthly contribution toward the rent of the unit will be assessed.

History of Residency: The previous three (3) years of housing will be verified and documented for each applicant. This includes housing for applicants who were previously homeowners or lived with parents/guardians. A lack of rental history will not cause an applicant to be rejected. Any applicants who have been evicted from federally assisted housing in the past three years will be prohibited admission.

Criminal Convictions/Current Drug Use: Criminal record check, as allowable by law with respect to all applicants and household members for occupancy in the Development and for annual recertification of all existing tenants, showing no record of past criminal activity as follows:

- i. No record of conviction for manufacturing drugs within the last five years;
- ii. No record of conviction for distributing drugs within the last five years;
- iii. No record of felony conviction for drug possession within last five years;
- iv. No record of a felony conviction for the last five years for a crime against a person;
- v. No record of a felony conviction for the last five years for a crime against property or for concealed weapons possession; and
- vi. No record of conviction for murder, attempted murder, rape or attempted rape.
- vii. No record of being subject to a state sex offender lifetime registration requirement.

Any household containing a member who was evicted from federally funded housing in the past three years for drug-related criminal activity will be prohibited admission. If the evicted household member has successfully completed an approved rehabilitation program or the circumstances that caused the eviction no longer exist, an exception may be made.

If an applicant is currently receiving treatment for addiction to a controlled substance, the applicant will not be rejected so long as he/she is acceptable as a tenant in all other respects. All circumstances regarding criminal convictions, including the period in which the convictions occurred, will be considered.

Unsanitary Housekeeping: Housekeeping will be considered only if home visits are conducted (see Section III Paragraph H). 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 residents.

J. Rejection Procedures

Written Notification: Each rejected applicant will be promptly notified in writing of the reason(s) for rejection. 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. The notice shall also inform the applicant that responding to Management's notice does not prevent the applicant from exercising any legal rights he/she may have.

Review of Rejected Applications: The applicant will have fourteen (14) days (excluding weekends and designated Federal holidays) to respond in writing or request a meeting to discuss the rejection. Any meeting with the applicant to review the applicant's written response will be conducted by a member of Management's staff who did not participate in the decision to reject the applicant.

If the applicant appeals the rejection, the applicant will be given a final written decision from Management within five (5) days (excluding weekends and designated Federal holidays) of the written response or meeting. If the decision is reversed, the applicant will be offered a suitable vacant unit. If no such unit is available, the applicant will be offered the next appropriate unit.

Management will consider extenuating circumstances in evaluating information obtained during the screening process to assist in determining the acceptability of an applicant for tenancy. If the applicant is a person with disabilities, we will consider extenuating circumstances where this would be required as a matter of reasonable accommodation.

IV. OCCUPANCY STANDARDS

The unit applied for must have enough space to accommodate the applicant's household. 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: fulltime household members, unborn children, children in the process of being adopted, children whose custody is being determined, foster children, children temporarily in a foster home, children in joint custody 50% of the year or more, children away at school but home for recess, live-in aides, foster adults. In selecting a unit size for the applicant, Management's occupancy standards must comply with Federal, State and local fair housing and civil rights laws, landlord-tenant laws and zoning restrictions.

The following standards shall be used solely as a guideline:

0 Bedroom	2 Persons
1 Bedroom	2 Persons
2 Bedroom	4 Persons

V. UNIT TRANSFER POLICIES

Unit transfers will be handled in accordance with CHA's ACOP.

VI. CIVIL RIGHTS AND NONDISCRIMINATION

A. *Section 504*

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based upon disability in all programs or activities receiving federal financial assistance. In accordance with Section 504, this Development will make and pay for reasonable structural modifications to units and/or common areas that are needed by applicants and tenants with disabilities, unless the modifications would change the fundamental nature of the project or result in undue financial and administrative burdens. This Development will operate housing that is not segregated based upon disability or type of disability. This Development will provide auxiliary aids and services necessary for effective communication with persons with disabilities.

B. *Fair Housing Act*

Fair Housing Act Amendments of 1988 prohibit discrimination in housing on the basis of race, color, religion, sex, disability, familial status and national origin. Management will not refuse, either directly or indirectly, to rent or negotiate for rental of a dwelling based on the above-mentioned classes. Management will not engage in activities that steer potential tenants away from or toward particular words or actions. Management will not make housing units and related services unavailable to any potential tenants. Management will not intentionally provide false information to applicants about the availability of units that limits the living options of prospective tenants. Management will not deny or limit services based on race, color, religion, sex, disability, familial status and national origin. Management will market available units in a nondiscriminatory manner.

C. *Title VI of the Civil Rights Act of 1964*

Title VI of the Civil Rights Act of 1964 prohibits all recipients of federal financial assistance from discriminating on the basis of race, color or national origin.

D. Violence Against Women and Department of Justice Reauthorization Act of 2005

The Violence Against Women Act (VAWA) provides that:

- Being a victim of domestic violence, dating violence, sexual assault or stalking, as these terms are defined in the law (hereafter collectively referred to as “abuse”), is not a basis for denial of assistance or admission to public or assisted housing if the applicant otherwise qualifies for assistance or admission;
- Incidents or threats of abuse will not be construed as serious or repeated violations of the lease or other “good cause” for termination of the assistance, tenancy, or occupancy rights of a victim of abuse; and
- Criminal activity directly relating to abuse, 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 termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant’s family is the victim or threatened victim of that abuse.
- Applicants who fall into any of the above VAWA categories shall be given processing preference and priority and will be considered and screened for housing placement ahead of persons already on the Development’s internal and external Waiting Lists.

Exhibit A

Acceptable Forms of Evidence of Citizenship or Eligible Immigration Status

- United States birth certificate
- United States passport
- Puerto Rican birth certificate
- Certificate of naturalization

- Form I-551: Alien Registration Receipt Card, for permanent resident aliens
- Form I-94: Arrival-Departure Record, with one of the following notations made:
 - o Admitted as refugee pursuant to section 207
 - o Section 208 or Asylum
 - o Section 234(h) or Deportation stayed by Attorney General
 - o Paroled pursuant to Section 212(d)(5) of the INA
- Form I-94: Arrival-Departure Record, accompanied by one of the following:
 - o A final court decision granting asylum if no appeal is taken
 - o A letter from a DHS asylum officer (on or after October 1, 1990) or a DHS district director (prior to October 1, 1990) granting asylum
 - o A court decision granting withholding of deportation
 - o A letter from a DHS asylum officer granting withholding of deportation

- Form I-688: Temporary Resident Card, annotated Section 245A or Section 210
- Form I-688B: Employment Authorization Card, annotated Provision of Law 247a.12(11) or Provision of Law 247a.12
- A receipt issued by DHS indicating that an application for issuance of a replacement document of one of the above noted documents has been made and that the applicant's entitlement to the document has been verified
- Form I-151: Alien Registration Receipt Card

Exhibit B

Acceptable Forms of Evidence of Social Security Number

- Original social security card
- Driver's license with SSN
- Identification card issued by a federal, State or local agency, a medical insurance provider, or an employer or trade union
- Earnings statements on payroll stubs
- Bank statement
- Form 1099
- Benefit award letter
- Retirement benefit letter
- Life insurance policy
- Court records
- For those applicants who have applied for legalization under the Immigration and Reform Control Act of 1986, a letter from DHS indicating that SSNs have been assigned is acceptable documentation