

PROCEDURE MANUAL: ADMINISTRATIVE

VOLUME: PROPERTY MANAGEMENT

BOLEY CENTERS, and PINELLAS AFFORDABLE LIVING (PAL)

PROCEDURE TITLE **TENANT SELECTION PLAN**

PROCEDURE NUMBER **PROP-18, PAL**

Policy: To provide and establish guidelines for ensuring that all needs of Boley properties are met in a timely fashion.

Purpose: Property management involves the control, maintenance, and oversight of real estate. Property management is the process of leasing or renting residential properties such as apartments or single-family homes.

Eligibility

1. Applicants must be able to provide documentation of a severe and persistent mental health impairment that substantially limits one or more of a major life activity, and whose impairment could be improved by more suitable housing conditions, in order to be eligible for the Permanent Supportive Housing Program through Boley Centers, Inc.
2. Only U.S. Citizens or eligible non-citizens may receive assistance. (The restriction on assistance to noncitizens does not apply to Section 811 PRAC.)
3. Verification of Social Security numbers is required for all family members, except that a Social Security number or documentation does not have to be provided for noncitizens who do not claim to have eligible immigration status or for applicants who are 62 and over as of January 31, 2010 and whose initial determination of eligibility was begun prior to January 31, 2010. If a child under the age of 6 is added to the applicant household within 6 months of move-in, the household has 90 days after the admission date to disclose and provide verification of the SSN. One 90 day extension may be granted. Upon expiration, if the tenant fails to disclose and verify the SSN, the household is subject to denial of admission or termination. **NOTE:** Applicants who have not disclosed and/or provided verification of SSNs for all non-exempt household members have 90 days from the date they are first offered an available unit to disclose and/or verify the SSNs. During this 90-day period, the applicant may, at its discretion, retain its place on the waiting list. After 90 days, if the applicant is unable to disclose and/or verify the SSNs of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list.
4. A Birth Certificate is requested of all occupants and must be provided for all minor occupants
5. The unit for which the applicant is applying must be the family's only residence.

6. Applicants must have the ability and agree to pay the rent (and utilities) required by the program.

7. Each head of household (regardless of age), spouse or co-head of household (regardless of age), and any family member who is 18 years of age or older must sign an Authorization for Release of Information prior to receiving assistance and annually thereafter. All information is subject to verification.

8. Rental assistance for Section 202/8 properties shall not be provided to any individual who is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential; **and**

a) Is under the age of 24; **and**

b) Is not married; **and**

c) Is not a veteran of the United States Military; **and**

d) Does not have a dependent child; **and**

e) 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, 2006; **and**

f) Is not living with his or her parents who are receiving Section 8 assistance; **and**

g) Is not individually eligible to receive Section 8 assistance **and** has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance.

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** of the following criteria to be eligible for Section 8 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. To be an independent student the person must meet one or more of the following criteria: (1) be at least 24 years old by December 31 of award year for which aid is sought; (2) be an orphan, in foster care, or ward of the court and age 13 or older; (3) be a veteran of U.S. Armed Forces; (4) have legal dependents other than a spouse; (5) be a graduate or professional student; (6) be married; or (7) be verified during school year of application as an unaccompanied youth who is homeless, at risk of homelessness and self-supporting.

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.

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.

If an ineligible student is a member of an applicant household or an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated in accordance with the guidance in chapter 8 of HUD Handbook 4350.3. **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.

Income limits

9. To be eligible for assistance, the annual household gross income (not adjusted) cannot exceed 50% (Very Low Income) of the Area Median Family Income (AMI) as determined annually by HUD. This is at the time of initial certification only and **MUST** be verified prior to move-in.

All income and assets must be disclosed on the application, regardless of the age of recipient, and will be verified by Boley Centers/PAL, Inc. Boley Centers/PAL, Inc., using HUD guidelines, will determine if it will be used in the calculation of the family's annual family income.

Income will be verified using the HUD EIV (Enterprise Income Verification) System within 90 days of admission to the program and during annual re-examination and for interim re-certifications of income. Please see the RHIP brochure for more information. Income and assets may also be verified using third party verifications.

Financial hardship exemption for minimum rent applications will be considered on a case-by-case basis per HUD regulations.

Opening/Closing the Waiting List

10. The waiting list for 811 and 202/8 properties will open as needed, when it is anticipated that placement from the wait list is less than three months. The waiting list will generally remain open for one week unless there are extenuating circumstances causing the number of applicants to be less than expected. The opening and closing of the waiting list will be announced in the legal notices section of the Tampa Bay Times, through social media, through Boley's Community Access Manager, and through flyers distributed to community partners. Waiting lists should be purged once a year.

11. Applicants who meet initial eligibility screening of having a reported mental health diagnosis and very low-income limit will only be placed on the waiting list for eligible unit sizes. If an applicant does not meet initial eligibility, the applicant will be notified by 1st class mail. The applicant will be given the option to appeal the decision.

Accepting Applications

12. The preferred method for completing an application for Boley Centers Housing is electronically through the Boley Centers website. Applications are only available during the time the waiting list is open. Provided the waiting list is open, applications can be requested via U.S. mail, telephone, electronically, or in person. Applications must contain an applicant's original or electronic signature. Applicant names are placed on the waiting list in order of date and time the application is received.

13. Due to unit demand, the only preferences noted will be for type of unit, not priority on the waiting list. It will only be for those pertaining to the need for an accessible unit or reasonable accommodation. For example: an applicant that uses a wheelchair needs a first floor unit when an available second floor unit has no elevator. Proper medical documentation is required. Should an applicant needing an accessible unit reach the top of the wait list and there is not a unit fitting their needs available, or one that can be made available, that applicant will remain at the top of the wait list until such a unit becomes available.

VAWA preference is only applicable to current tenants.

14. When an applicant reaches the top of the wait list they will be sent a letter by First Class US Mail explaining that a unit has become available and what steps must be taken if the applicant is still interested in the unit. The applicant must make contact with Boley Centers' Housing Staff within two weeks from the date the letter is mailed to be considered (extensions may be given upon request with extenuating circumstances). If no contact is made by the specified date the applicant is removed from the wait list and the next applicant on the list will be offered the unit. An interview will be scheduled once contact is made to start the eligibility process. Applicants will be screened for eligibility prior to admission and must sign an authorization for release of information in order to be eligible for the program. All information must be verified. Applicants must sign consent for a criminal background check. If the applicant is eligible a unit will be offered. If accepted the applicant will be removed from all Boley Centers/PAL, Inc. wait lists.

15. Boley Centers/PAL, Inc. Housing Department will use the EIV (Enterprise Income Verification) System to generate the Existing Tenants Report to identify applicants who may be receiving assistance at another Multifamily or PIH location. A tenant may receive assistance at only one location at a time. If you have questions regarding this process, please ask your Housing Specialist during your interview.

16. Grounds for denial include but may not be limited to:

- Failure to sign and submit verification consents and other required documentation.
- Felony charges or convictions that are less than five (5) years old.
- A pattern of criminal activity over time regardless of date of last offense.

- Drug charges or convictions within the past twelve months without evidence of successful rehabilitation.
- Applicants who have been evicted from Federal Housing due to drug activity within the past 3 years.
- Any member of the household is a Registered Sex Offender in any state. Registered sex offenders are not eligible for Federal Housing Assistance.
- Applicants will be rejected if there is reasonable cause to believe that applicant's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. The screening standards are based on behavior, not the condition of alcoholism or alcohol abuse.
- If the applicant or any member of the household is indebted to Boley Centers/PAL, Inc. for past rent or damages.

17. Applicants denied admission will receive a letter through First Class Mail indicating the reason. Applicants will be given an opportunity to appeal the decision. The VP of Housing has final approval of any households moving into a Boley Centers or PAL, Inc. owned property.

Opportunity to Supplement Information

18. Applicants are given the opportunity to supplement or change information already provided on the application by submitting the changes in writing to the Boley Centers Housing Department. Once an applicant is placed on the waiting list it is the sole responsibility of the applicant to keep information regarding change of address, telephone numbers, etc. updated with Boley Centers. Periodic purging of the waiting list may be necessary. Letters will be sent via first class mail regarding steps applicants must take to remain on the waiting list when purging occurs

Income targeting

19. For Section 202/8 properties only, not less than 40% of the dwelling units that become available for occupancy in the fiscal year must be leased to extremely low income (30% of median income) families. This is generally able to be accomplished by following the standard waiting list order.

Occupancy Standards

20. Boley Centers' occupancy standard is a maximum of two persons per bedroom and a minimum of one person per bedroom. The occupancy standard for efficiency apartments (zero bedrooms) is one person maximum.

Tenants may request adding a person to their household (up to the maximum occupancy) provided the following conditions are met prior to move in: The prospective new tenant must consent to and pass the background check as indicated above. The prospective tenant cannot owe Boley Centers/PAL, Inc. past-due rents or fees or have been asked to leave a Boley Centers, Inc. residence.

21. Applicants must have any needed supports, such as attendant care, already in place or pending. Boley Centers will not be held responsible for providing personal care services. Staff will refer Tenants who express a need or desire of mental health supports to Boley Centers' Supported Housing Program. Boley Centers' Supported Housing Program will review the application and supporting documentation and conduct an interview prior to admission to Supported Housing services. Supported Housing Services at Boley Centers are provided to tenants at no cost to the tenant.

22. Applicants must sign and abide by the House Rules. Units must be kept in a clean and sanitary manner. Any intentional damage to the property will not be tolerated and will be considered a violation of the terms of the lease agreement. The tenant will be responsible for paying the cost of the repairs.

Unit Transfers

23. Except under extenuating circumstances, unit transfers are not allowed unless there has been a change in familial size, family composition, a medical/psychiatric reason certified by a licensed medical or mental health professional, based upon the need for an accessible unit, as a reasonable accommodation, or as a VAWA emergency transfer. All requests for reasonable accommodations will be reviewed by the Executive Vice President of Housing, Development, and ADA Services. Once approved that tenant will be placed at the top of the desired facility wait list, and their placement will take precedence over the applicant not already offered a unit currently at the top of that list. VAWA emergency transfers take top priority, followed by unit transfers for medical or psychiatric reasons.

24. Applicants that maintain an outstanding balance with Boley Centers (i.e. past due rent, fees or damage charges) will be denied admission or transfer into permanent housing until such time as the debt is paid in full.

25. When a tenant is moving from one Boley Centers unit to another for whatever reason, they will be given a minimum of 30 days' notice of the pending move and a seven (7) day window in which to move. A tenant may not occupy more than one unit for any period longer than seven days during which they must make good faith efforts to move.

Non-discrimination Compliance Policies

26. Boley Centers/PAL, Inc. will comply with ALL FEDERAL, STATE AND LOCAL LAWS. This includes but is not limited to: Section 504 of the Rehabilitation Act of 1973, The Fair Housing Act Amendments of 1988, and The Americans with Disabilities Act of 1990. Regular reporting requirements assure compliance.

Boley Centers/PAL, Inc. does not discriminate on the basis of race, color, national origin, religion, sex, familial status, and disability. Equal access to programs is provided

without regard to a person's actual or perceived sexual orientation, gender identity, or marital status.

Applicants may request reasonable modifications and reasonable accommodations under the Fair Housing Act Amendments of 1988 at any time in the process. This includes requests for effective communication measures.

27. If an applicant feels their rights have been violated information regarding the reporting of complaints will be provided.

VAWA Protections

Boley Centers/pal, Inc. abides by all VAWA rules as stated in notice H 2017-05.

28. Boley Centers may not consider incidents of domestic violence, dating violence, sexual assault, or stalking as serious or repeated violations of the lease or other "good cause" for rejection of application for assistance, termination of assistance, tenancy or occupancy of a victim who is protected from acts under the domestic or family violence laws of the jurisdiction.

29. Boley Centers may not consider 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, cause for rejection of application for assistance, 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.

30. Boley Centers may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence Sexual Assault, or Stalking and Alternate Documentation, Form HUD-5382, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

Miscellaneous Information

31. Boley Centers/PAL, Inc. reserves the right to determine that a tenant has given up their right to occupancy because of extended absence or abandonment of the unit. Abandonment is distinguished from an absence from the unit by the tenant's failure to pay the rent due for the unit and failure to acknowledge or respond to notices from Boley Centers regarding the overdue rent. Tenants who do not pay periodic rent shall be considered to have abandoned the unit if they are absent from the unit for a period of time equal to 36 days and have not notified Boley Centers, in writing, of an intended absence. However, this presumption shall not apply if the rent is current or the tenant has notified Boley Centers, in writing, of an intended absence. Extended absence from

a unit is defined as the tenant being absent from the unit for longer than 60 continuous days, or for longer than 180 continuous days for medical reasons. Exceptions to this rule may be made by the Vice President of Housing for extenuating circumstances.

32. Security deposits are required at the time of move-in (except for Pal, Inc. homeless units where there are no vouchers). The minimum security deposit is one month's total tenant payment or \$50, whichever is higher. Deposits are refundable after a move-out inspection, which the tenant may attend, if there are no outstanding charges, balances, damages or other costs attributable to the tenant.

33. Tenants will receive written notification of impending inspections at least 24 hours in advance of the inspection. Unit inspections are required at least once per year by Boley Housing Staff. Unit inspections are also required by various funding sources during an audit or review of the property.

34. Any change in house rules pertaining to the use and enjoyment of the unit will be provided in writing with an explanation of the determination. Tenants will have a minimum of 30 days' notice when a rule change is proposed to make comments.

35. Tenants are required to participate in annual re-certifications in order to remain in Boley's Housing Program. At the re-certification appointment the tenant is required to sign a release of information to verify information provided. The tenant is required to provide updated documentation of income, assets, and changes to household. Tenants are required to report any changes in income, assets, household composition, or any other relevant change to the Housing Department, in writing, within 10 days of the change. The Housing staff will determine if an Interim re-examination is necessary.

36. This Tenant Selection Plan is kept at the rental office at Boley Centers' Hays building and is available for inspection by applicants, tenants, and the public. Applicants on the waiting list will be notified by letter of changes to the Tenant Selection Plan which may affect an application or tenancy.

37. Exceptions to any of these policies require prior approval by the Vice President of Housing and the President and Chief Executive Officer.

DATE

Issued: 10/93

Reviewed: 08/2020

Revised: 08/2020

Signature Page

I have received and had the opportunity to review the Tenant Selection Criteria for Boley Centers, Inc. permanent housing program.

Applicant

Boley Centers Representative

Co-Applicant

Date