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EXECUTIVE DIRECTOR

# TENANT SELECTION CRITERIA

## POLICIES

The Consortium will provide access to copies of the Admissions and Continued Occupancy Policy and the Reasonable Accommodations Policy at applicant's request. These policies are also available on the Consortium website.

## ELIGIBILITY FOR ADMISSION

There are five eligibility requirements for admission to housing: (1) qualifies as a family; (2) has an income within the income limits; (3) meets citizenship/eligible immigrant criteria; (4) provides documentation of Social Security numbers; and (5) signs consent authorization documents. Restrictions on assistance apply to students enrolled in an institution of higher education, as defined under PIH Notice 2005-16 and 24 CFR 5.612. In addition to the eligibility criteria, families must also meet the Consortium's screening criteria in order to be admitted to housing.

## ELIGIBILITY CRITERIA

### *Family status.*

A **family** is defined as an individual or group of persons regularly living together regardless of actual or perceived sexual orientation, gender identity, or marital status.

An **elderly family** is defined as a family whose head, spouse, or sole member is a person who is at least 62 years of age.

A **near-elderly family** is defined as a family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62.

A **disabled family** is defined as a family whose head, spouse, or sole member is a person with disabilities.

### *Student Eligibility.*

A student who is otherwise eligible and meets screening requirements is eligible for assistance if the student meets the criteria indicated below. Section 8 assistance shall 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; when the student,

1. Is living with his or her parents who are receiving Section 8 assistance;
2. Is individually eligible to receive Section 8 assistance or has parents who are income eligible to receive Section 8 assistance;

3. Is a veteran of the United States military;
4. Is married;
5. Has a dependent other than a spouse, such as a dependent child;
6. Is at least 24 years of age;
7. Is a person with disabilities, as such term is defined in section 3(b)(3)(E) of the Housing Act of 1937 and was receiving assistance under Section 8 of the Housing Act of 1937 as of November 30, 2005;
8. Is classified as a Vulnerable Youth; A student meets HUD's definition of a vulnerable youth when:
  - a. The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
  - b. The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's state of legal residence;
  - c. The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by
    - (1) A local education agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;
    - (2) The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
    - (3) The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
    - (4) A financial aid administrator; or
9. The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.
  - a. If a student does not meet the eligibility criteria above, but can prove independence from parents under HUD rules, then the student would meet HUD's student eligibility criteria.
  - b. If an ineligible student applies for or is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated.

***Income eligibility.***

1. Income limits apply only at admission and are not applicable for continued occupancy.
2. Income limit restrictions do not apply to families transferring within our Housing Programs.

Eligibility for housing will be based on the following income limits and rent limits:

**INCOME LIMITS:**

AMFI %	Number of Household Members							
	1	2	3	4	5	6	7	8
30	\$ 12,400	\$ 14,200	\$ 15,950	\$ 17,700	\$ 19,150	\$ 20,550	\$ 21,950	\$ 23,400
40	\$ 16,520	\$ 18,880	\$ 21,240	\$ 23,600	\$ 25,520	\$ 27,400	\$ 29,280	\$ 31,160
50	\$ 20,650	\$ 23,600	\$ 26,550	\$ 29,500	\$ 31,900	\$ 34,250	\$ 36,600	\$ 38,950
60	\$ 24,780	\$ 28,320	\$ 31,860	\$ 35,400	\$ 38,280	\$ 41,100	\$ 43,920	\$ 46,740
80	\$ 33,050	\$ 37,800	\$ 42,500	\$ 47,200	\$ 51,000	\$ 54,800	\$ 58,550	\$ 62,350

**RENT LIMITS:**

AMFI %	Number of Bedrooms					
	0	1	2	3	4	5
Low	\$521	\$558	\$670	\$773	\$863	\$952
High	\$590	\$594	\$789	\$1,073	\$1,178	\$1,281

**FEES AND DEPOSITS**

Applicants for open market properties and properties monitored by the Texas Department of Housing and Community Affairs (TDHCA) will pay a \$35 application fee along with their application.

A deposit is not required for the application process; however, a security deposit will be paid in accordance with the schedule of charges, which is located at the Consortium office and on our website.

**SUITABILITY FOR HOUSING**

Applicant families will be evaluated to determine whether, based on their behavior, such behavior could reasonably be expected to result in noncompliance with the lease contract. The Consortium will look at past conduct as an indicator of future conduct. Emphasis will be placed on whether a family's admission could reasonably be expected to have a detrimental effect on the development environment, other residents, Consortium employees, or other people residing in the immediate vicinity of the property. That an applicant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking is not an appropriate basis for denial of program assistance or for denial of admission of an otherwise qualified applicant. Otherwise eligible families will be denied admission if they fail to meet the suitability criteria. Screening criteria will be applied in a manner consistent with all applicable laws, including the Texas and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines, and the Consortium's rules.

The Consortium will consider objective and reasonable aspects of the family's background, including the following:

1. History of meeting financial obligations, especially rent;
2. Ability to maintain their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other residents;
3. History of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would

adversely affect the health, safety, or well being of other residents or staff or cause damage to the property;

4. History of disturbing neighbors or destruction of property;
5. Having committed fraud in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from; and
6. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.

The Consortium will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease contract. The Consortium will verify the information provided. Such verification may include but may not be limited to the following:

1. A credit history of all adult family members;
2. A rental history of all adult family members;
3. A criminal background history on household members, including live-in aides. This check will be made through State or local law enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last five years. Where the individual has lived outside the local area, the Consortium may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC);
4. A check of the State's lifetime sex offender registration program for each household member, including live-in aides. Individuals registered with this program in any state will **not** be admitted to housing.
5. A check of the EIV Existing Resident Search for each household member will be performed before admission to the program. To be eligible, each household member must not be receiving assistance from another federal assisted program.

## **GROUNDINGS FOR DENIAL**

The Consortium is not required or obligated to assist applicants who:

1. Do not meet the eligibility criteria;
2. Do not supply information or documentation required by the application process;
3. Have failed to respond to a request for information or a request to declare their continued interest in the program;
4. Have a history of not meeting financial obligations, especially rent;
5. Do not have the ability to maintain their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other residents;
6. Have a history of criminal activity by any household member involving convictions for crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other residents or staff or cause damage to the property;
7. Have a history of disturbing neighbors or destruction of property;

8. Currently owes rent or other amounts to any Housing Authority in connection with their public housing or Section 8 programs;
9. Have committed fraud, bribery or any other corruption in connection with any Federal housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
10. Were evicted from assisted housing within five years of the projected date of admission because of drug-related criminal activity involving the personal use or possession for personal use;
11. Were evicted from assisted housing within five years of the projected date of admission because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 841, 2012 Edition;
12. Have a history, within five years of the projected date of admission, for drug-related criminal activity;
13. Are illegally using a controlled substance or are abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. The Consortium may waive this requirement if:
14. The person demonstrates to the Consortium's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
15. Has successfully completed an approved supervised drug or alcohol rehabilitation program; or
16. Has otherwise been rehabilitated successfully.
17. Have engaged in or threatened abusive or violent behavior towards any Consortium staff or residents and/or guests;
18. **Denied for Life:** If any family member has been convicted of manufacturing or producing methamphetamine (speed) in a housing development or in a Section 8 assisted property;
19. **Denied for Life:** Has a lifetime registration under any State's sex offender registration program.

## OCCUPANCY STANDARDS

The following guidelines will determine each family's unit size without overcrowding or over-housing:

Number of Bedrooms	Number of Persons	
	Minimum	Maximum
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Zero bedroom units will only be assigned to one-person families.

In determining bedroom size, the Consortium will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose legal custody is being obtained, children who are temporarily away at school, or children who are temporarily in foster-care.

In addition, the following considerations may be taken in determining bedroom size:

1. Children of the same sex will share a bedroom.
2. Children of the opposite sex, both under the age of seven (7) will share a bedroom.
3. Adults and children will not be required to share a bedroom.
4. Live-in aides will get a separate bedroom.

Exceptions to normal bedroom size standards include the following:

1. Units smaller than assigned through the above guidelines – A family may request a smaller unit size than the guidelines allow. The Consortium will allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned. In such situations, the family will sign a certification stating they understand they will be ineligible for a larger size unit until the family size changes.
2. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The Consortium will allow the larger size unit if the family provides a verified medical need that the family be housed in a larger unit.
3. If there are no families on the waiting list for a larger size, smaller families may be housed with the understanding that they will transfer (at the family's own expense) to the appropriate size unit when an eligible family needing the larger unit applies.

## **FAIR HOUSING & REASONABLE ACCOMMODATION POLICY**

The Consortium will fully comply with all State and Federal fair housing and antidiscrimination laws; including, but not limited to, consideration of reasonable accommodations requested to complete the application process.

Screening criteria will be applied in a manner consistent with all applicable laws, including the Texas and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines, and the Consortium's rules.

Specific animal, breed, number, weight restrictions, pet rules, and pet deposits will not apply to households having a qualified service/assistance animal(s).

The Consortium's Reasonable Accommodations Policy provides more detail about reasonable accommodations.

## **ACCESSIBLE UNITS**

Accessible units will be first offered to families who may benefit from the accessible features. Applicants for these units will be selected utilizing the following preference system: 1. Resident who is a person with a disability who is not currently residing in an accessible unit; 2. Applicant on the waiting list having a disability requiring the accessibility feature of the unit. If there are no applicants who would benefit from the accessible features, the units will be offered to other applicants in the order that their names come to the top of the waiting list.

**VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)**

Although VAWA refers to women in its title, protections are afforded to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, sexual orientation, or age.

The Consortium will provide residents HUD Form 5380 (Notice of Occupancy Rights Under the Violence Against Women Act) at the time the applicant is denied, during admission and with any notice of eviction or lease termination to inform applicants/residents of their VAWA rights.

Residents are required to provide a HUD-approved certification form (HUD Form 5382) that the resident is a victim of domestic violence, dating violence, sexual assault, or stalking, or the effects of such actions, and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse and meet the definitions of domestic violence, dating violence, sexual assault, or stalking. The certification shall include the name and any other needed information pertaining to the perpetrator if the name is known and is safe to provide.

**Signing this acknowledgement indicates that you have had the opportunity to review the landlord's tenant selection criteria. The tenant selection criteria may include factors such as criminal history, credit history, current income and rental history. If you do not meet the selection criteria, or if you provide inaccurate or incomplete information, your application may be denied, and your application fee will not be refunded.**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date