

Rica Vista – Tenant Selection Plan

rev 04/18/22

Our community supports equal housing opportunity, including the Fair Housing Act as amended, a federal law applicable in all states that prohibits discrimination in housing based on race, color, religion, sex, national origin, familial status or disability. In addition, many states and localities have their own local fair housing laws or ordinances, which may protect additional characteristics from discrimination in housing. Our community does not discriminate on the basis of any state or locally protected characteristics. Please note that these are our current rental criteria; nothing contained in these requirements shall constitute a guarantee or representation that all residents and occupants currently residing at this community have met these requirements. There may be residents and occupants that have resided at this community prior to these requirements going into effect. Additionally, our ability to verify whether these requirements have been met is limited to the information we receive from various resident credit reporting services used. Please review this information before completing the application and paying the application processing fee, which is non-refundable. Falsification of information on the application will result in denial of residency and loss of application deposit as liquidated damages for our time and expense.

Rica Vista requires all applicants to meet the following criteria in order to qualify for this housing community:

GENERAL INFORMATION

This property leases / rents the following bedroom size(s), when available:

- ONE (1) BEDROOM**
- TWO (2) BEDROOM**

QUALIFYING FOR RESIDENCY

Rica Vista is a market rate and affordable housing complex subject to a regulatory agreement with the Housing Authority of the City of Alameda (AHA), hereby referred to as the "AHA Regulatory Agreement." Income-qualified residents must qualify based on the most recently published maximum allowable 80% AMI TCAC income limits adjusted for household size.

Income certifications are to be completed per the AHA approved TCAC TIC, and verifications of income and assets are to be completed per HUD Handbook 4350.3 guidelines.

INITIAL SELECTION OF AFFORDABLE UNITS

Rica Vista contains 136 floating income / rent restricted, affordable units per the "AHA Regulatory Agreement" with the Housing Authority of the City of Alameda. The number of 1 bedroom and 2 bedroom restricted affordable units shall reflect the following breakdown:



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Table 1		
On and After Year 2021		
	40% of Units	Total Units
1-Bd.	50	50
2-Bd.	24	24
Total Housing Authority-Assisted Units	74	74

Table 2		
On and After Year 2023		
	50% of Units	Total Units
1-Bd.	63	63
2-Bd.	30	30
Total Housing Authority-Assisted Units	93	93

Table 3		
On and After Year 2025		
	60% of Units	Total Units
1-Bd.	75	75
2-Bd.	37	37
Total Housing Authority-Assisted Units	112	112

Table 4		
On and After Year 2027		
	70% of Units	Total Units
1-Bd.	88	88
2-Bd.	42	42
Total Housing Authority-Assisted Units	130	130

Table 5		
On and After Year 2029		
	80% of Units	Total Units
1-Bd.	91	91
2-Bd.	45	45
Total Housing Authority-Assisted Units	136	136

Initial selection of units subject to the “AHA Regulatory Agreement” with the Housing Authority of the City of Alameda are to be determined based on the income-qualification of occupied units. Should Rica Vista not be able to meet the minimum required number of restricted units per the “AHA Regulatory Agreement” with in-place residents, the next available 1 bedroom and 2 bedroom units shall be held for occupancy by qualifying households until conditions of the “AHA Regulatory Agreement” are met.

On a go-forward basis, completion of the AHA approved modified TCAC TIC is a required condition for occupancy of any restricted affordable unit.

FLOATING UNIT DESIGNATION

During the term of the “AHA Regulatory Agreement,” Rica Vista shall ensure all restricted units are occupied, or held vacant for occupancy by qualifying households. If a household in a restricted unit moves out of the restricted unit, owner may choose to reallocate the restricted designation to an alternative unit so long as the minimum required 1 bedroom and 2 bedroom restricted units are occupied, or held vacant for occupancy by qualifying households.

If a resident / household is transferred as a reasonable accommodation due to a household member’s disability, then the owner must pay the costs associated with the transfer, unless doing so would be an undue financial and administrative burden. In such a case a reasonable accommodation is provided by owner, the restricted unit designation shall continue to stay with the household.

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INITIAL RENTS AND RENEWAL RENTS FOR AFFORDABLE UNITS

Initial and re-determined rents upon lease renewal for affordable units shall be established based on the maximum rents allowable under the most recently published 80% AMI TCAC income limits and any applicable local, state, or federal rent control programs.

CHANGES TO EXISTING HOUSEHOLDS

Household compositions will change over time. Additions to households do not need to be placed on the wait list to be added to an existing household subject to the “AHA Regulatory Agreement.” The request for the additional resident will need to be reported to the office and approval will need to be obtained by management before the new household members take occupancy. The new household member must meet all eligibility criteria in the same manner as an outside applicant. Changes to existing households due to births, adoptions, and / or court awarded custody of minors do not require approval.

APPLICATION PROCESS

Our staff is prepared to assist any applicant who requires assistance completing any of the application forms. This assistance might include answering questions about the application, helping applicants who might have literacy, vision, hearing, mobility or language difficulties and, in general, making it possible for interested parties to apply for housing.

If the assistance is “unreasonable”, the interviewer must inform their supervisor. An assessment must be made to identify and provide reasonable accommodation.

Management may make and document exceptions to the procedures described herein to take into account circumstances beyond the applicant's control, for example, medical situations.

WAITLIST APPLICATION PROCESS

Waitlist Application and property information forms are to be given or mailed to all applicants requesting an application. Applications are accepted at the apartment community's rental office in person or by any of the methods listed below:

1. Mail to the property's mailing address
2. Fax to the property's fax number
3. Email to the property's email address

However, if the waitlist is closed, applications are not collected, given or mailed out. If the waitlist is open then an application is given to all requesting one.

Specific determinations regarding accepting or rejecting applicants may not be made without a Waitlist Application; however, we would be happy to answer any questions concerning program and eligibility requirements.

PROCEDURE GOVERNING RECEIPT OF APPLICATIONS

The Waitlist Application constitutes the basic record of each household applying for admission. Each applicant, therefore, will be required to:

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- Supply information as called for, and
- Sign the application and certification attesting to the accuracy of the information provided.

Each application shall reflect the date and time received. The date and time on the application must be shown on the waitlist. The application and all other materials relating to the applicant's eligibility are to be maintained in a separate file for each active applicant. Whenever information is received from an applicant it must show the date and time received by the Property.

ACCEPTING APPLICATIONS

Waitlist Applications are to be accepted from all "apparently eligible" applicants seeking admission to the property. "Apparently eligible" means, based on stated information and applicant certification (prior to verification) the applicant may qualify to be placed on the waitlist.

- The Waitlist Application must be completed and signed by the head of household and all household members over 18 before an applicant can be placed on a waitlist.
- An applicant must always be placed on a waitlist and selected from a waitlist to be housed.
- A Rental Application must be completed and signed by the head of household and all household members over 18 is required before an applicant can be housed.

PLACING APPLICATIONS ON THE WAIT LIST

Waitlist Applications will be accepted and reviewed to determine whether the household can be placed on the waitlist. Applicants will be placed on the waitlist based on the applicants' certification of information on the Waitlist Application.

There are three primary considerations when assessing the information contained on the Waitlist Application:

1. Does the household fall within the income limits and eligibility criteria for the property/program?
2. Is there an apartment of the type and size that the household needs/requests?
3. Is the Waitlist open?

If the answer to all three of these questions is "yes", the household/application is placed on the waitlist in "Prospect" status.

If all of the answers are yes except for the apartment type, and there is not a correct apartment type to meet the applicant's housing needs, then a determination must be made by the property manager whether the Property/unit must be made accessible and/or if reasonable accommodation is warranted.

If the household does not fall within the income limits for the property/program, or there is not an apartment of the appropriate size, or the waitlist is closed, then:

- The application is rejected and the reason written on the application
- The applicant is notified of the rejection with the Notice of Eligibility and they are advised that they may reapply if their circumstances change, or when the waitlist reopens, and
- There is no further review of the application.

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An applicant must be advised of the rejection in writing and a copy of the written determination attached to the application. This may be done at the time the application is received or within five (5) days of receipt, by mail.

ADMINISTRATION OF THE WAIT LIST

The Property is required to maintain a wait list of all eligible applicants. Applicants must be placed on the wait list and selected from the wait list even in situations where there are vacancies and the application is processed upon receipt. This procedure is necessary to assure the complete and accurate processing of all documentation for all applicants. Opening the wait list and marketing vacant apartments in the Property must provide an equal opportunity for households to participate in and benefit from the “AHA Regulatory Agreement.”

The wait list is maintained in chronological order based on the date and time of receipt of the pre-application. A local preference will apply for applicants with applications who live or work in the City of Alameda, or applicant families that include at least one adult member who lives or works in the City of Alameda.

The wait list will be processed in the following order of priorities:

1. A local preference will apply for applicants with applications who live or work in the City of Alameda, or applicant families that include at least one adult member who lives or works in the City of Alameda.
2. Application date and time received.
3. Date of availability for move-in.

The wait list contains the following information for each applicant:

- Application date and time received
- Applicant Name
- Household Income
- Address
- Phone Number(s)
- Preference/Priority
- Unit Size and Type
- Notification Date(s)
- Response Date(s)
- Comments/Status
- Special Needs

Applicants may report changes to any of the information and retain their place on the wait list based on the original date and time.

If the change in household circumstances is such that the applicant is no longer eligible to be on a wait list, i.e., over the income limits:

- the application will be inactivated, and
- the applicant will be notified in writing of the inactive status



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CLOSED WAIT LIST

The wait list is closed when the numbers of applications on hand are such that the wait list application household would be unlikely to be offered a unit within one year.

The Property must not accept or maintain lists of potential applicant names when the wait list is closed. Applicants inquiring about a unit when the list is closed must be advised that the list is closed and they may apply when the list is reopened.

MAINTAINING WAIT LIST

The wait list is purged based on applicant contact every six months by the Property staff. It is critical that applicants are made to understand that they must continue to contact the Property to remain active on the wait list.

It is the responsibility of the applicant to notify the Property at least every six (6) months to remain active on the wait list. The head of household or spouse/co-applicant must contact the Property in person, phone, email, fax or by mail (unless some other reasonable accommodation is requested by applicants with verifiable disabilities).

At the time of such notification the applicant shall simply indicate that they are still interested in an apartment.

If an applicant does not contact the Property during any six-month period their application will be inactivated. For this reason it is important that applicants update their application and the update must be clearly documented with the date, time and applicant name. Documentation with the date, time and applicant name will be referenced if a dispute between property and applicant arise on whether contact was made.

It is also the applicant's responsibility to notify the Property whenever there is a change in the information provided on their Waitlist Application. The change may result in the need to place the applicant on a different wait list or be removed if the applicant no longer satisfies qualification requirements under terms of the "AHA Regulatory Agreement."

The wait list will be periodically purged by the Property staff to determine if applicants on the active list are still interested in an apartment. When purging notices are sent out from the Property an applicant's failure to respond within the designated time frame may result in the application being removed from the active list and being placed on an inactive status.

CHANGES IN WAIT LIST STATUS

An applicant's status may change as the result of changes in their income, household composition or other circumstances. Such a need may occur when the applicant notifies the Property of the change or when the applicant's name is reached on the wait list and the changes are identified when the Waitlist Application is updated.

If the applicant's circumstances change and the change requires a different wait list status for the applicant, such change may not affect the date of the original application.

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UNIT TRANSFER PROCESS

A reasonable accommodation request must be submitted for transfer eligibility. Based on an increased rent amount, income verification will be done and approved according to criteria. A new application and new lease with new lease terms will be executed. Deposits will not be transferred unless there are extenuating circumstances such as a fire-damaged unit, an approved Reasonable Accommodations request or persons classified as victims under the VAWA act.

Market rate residents not subject to the “AHA Regulatory Agreement” may be placed on the restricted unit wait list only if the list is open. They are placed on the wait list as of date and time of application. The new household must meet all eligibility criteria in the same manner as outside applicants. These households will not have priority over outside applicants and will be selected from the wait list based upon date and time application was received. All transfers will require management approval.

NOTIFICATION OF UNIT AVAILABILITY

If you are contacted and notified by phone and/or a Notice that you are getting close to the top of the waitlist/available unit, you will have ten (10) days to respond and complete a full application for each adult and complete the necessary paperwork to begin the screening and eligibility process. These must be received with wet signatures for processing. These will only be accepted in person or via mail to the rental office.

- a. If a waitlist applicant chooses not to accept an apartment at that time, you will be removed from the waitlist for that unit type. You may re-apply to be placed back on the waitlist if you are still interested.
 1. Example: Your household is on the one & two bedroom waitlists. You are contacted and offered a one bedroom unit and refuse. Your household will be removed from the one bedroom waitlist, but the household will remain on the two bedroom waitlist.
- b. If you do not contact management within the required period, you will be removed from the waitlist and the available unit will be offered to the next person on the waitlist.
- c. Once your application has been approved, you will have 7 days to execute the lease and other rental documents. If you do not execute the lease and other rental documents within 7 days, you will be deemed to have rejected the offered unit, will be removed from the waitlist and the next person on the waitlist will be contacted for the available unit.

REASONABLE ACCOMMODATIONS TO PERSONS WITH DISABILITIES

As part of this property's commitment to equal housing opportunity and non-discrimination on the basis of disability, prospective applicants may request reasonable accommodations that are necessary because of a disability during the application process. An applicant shall notify management if he/she believes any such accommodation to a disability is necessary. The process for applying for reasonable accommodations should be in all announcement materials and readily available on the website or by calling the property manager.

VIOLENCE AGAINST WOMAN ACT PROTECTIONS

1. An applicant's or program participant's status as a victim of domestic violence, dating violence, sexual assault 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.



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2. An incident or incidents of actual or threatened domestic violence, dating violence, sexual assault or stalking will not be construed as serious or repeated violations of the lease or other "good cause" for terminating the assistance, tenancy, or occupancy rights of a victim of abuse.
3. Criminal activity directly related to domestic violence, dating violence, sexual assault 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 termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.
4. Assistance may be terminated or a lease "bifurcated" in order to remove an offending household member from the home. Whether or not the individual is a signatory to the lease and lawful tenant, if he/she engages in a criminal act of physical violence against family members or others, he/she stands to be evicted, removed, or have his/her occupancy rights terminated. This action is taken while allowing the victim, who is a tenant or a lawful occupant, to remain.
5. The provisions protecting victims of domestic violence, dating violence, sexual assault or stalking engaged in by a member of the household, may not be construed to limit honoring various court orders issued to either protect the victim or address the distribution of property in case a family breaks up.
6. The authority to evict or terminate assistance is not limited with respect to a victim that commits unrelated criminal activity. Furthermore, if an O/A can show an actual and imminent threat to other tenants or those employed at or providing service to the property if an unlawful tenant's residency is not terminated, then evicting a victim is an option, the VAWA notwithstanding. Ultimately, O/As may not subject victims to more demanding standards than other tenants.
7. The VAWA protections shall not supersede any provision of any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence or stalking. The laws offering greater protection are applied in instances of domestic violence, dating violence or stalking.

THE FAIR HOUSING ACT AMENDMENTS OF 1988 AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND HUD NOTICE 16-137

1. The Property complies with The Fair Housing Act which prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability, and familial status. It applies to housing, regardless of the presence of federal financial assistance.
2. The Property complies with Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color or national origin in any program or activity receiving federal financial assistance from HUD.
3. The Property complies with HUD Notice 16-137, The Final Rule – Providing Equal Access to Housing in HUD Programs regardless of Sexual Orientation or Gender Identity to ensure that housing is open to all eligible individuals and families regardless of actual or perceived sexual orientation, gender identity or marital status.

IDENTIFICATION

All applicants will be asked to provide positive identification. All applicants must present a valid driver's license or other government/official issued photo identification.

****NOTE: The identification, income, employment and deposit requirements may be modified if required by federal subsidy or financing programs.**



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EMPLOYMENT (current and previous)

Applicant must supply 2 months of stable income. If an applicant has less than 2 months of employment history, an additional deposit or guarantor may be required.

- If not employed, the applicant must pass income, credit, and criminal criteria, or (in some instances) pay an additional deposit or provide an acceptable guarantor.
- If self-employed, applicant must provide (1) the prior year's tax return with Schedule C form with the applicant's affidavit that anticipates applicant's NET earnings for the next 24 months; (2) CPA/accountant's statement of the prior year's tax returns and anticipated NET income for the next 24 months; or (3) 24 months of certified or uncertified financial statements (including accountant's calculation of straight-line depreciation expense if accelerated depreciation was used on the tax return or financial statement). Otherwise, an additional deposit or guarantor may be required.
- Full-time students (minimum of 9 credit hours) who do not have verifiable employment must provide proof of school enrollment and must provide either additional deposit or an acceptable guarantor.

RENT TO INCOME RATIO

All applicants must have a verifiable source of funds.

- Applicants must have income of at least 2.5 times the tenant paid rental amount less any concessions or incentives. If an applicant's income is not sufficient, a guarantor may be required.
- If a guarantor is required, guarantor's income must be 5 times the tenant paid rental amount.

CREDIT SCREENING (excluding student loans and medical accounts)

- An applicant with an unsatisfactory credit report will be denied.
- Excessive collection accounts, including utility accounts (regardless of status), will result in denial of the rental application. All utility collection accounts within the last 2 years must be paid in full and confirmation presented with the application in order to be approved.
- An applicant whose credit report contains more negative than positive history may be approved subject to an additional deposit.
- Bankruptcy (regardless of discharge) or repossession within the last 2 years may be grounds for denial of the application or may require an additional deposit for approval.
- **Rental housing debt, eviction judgements, or collections within the last 5 years will result in automatic denial of the application.**
- Any unresolved tax liens will negatively impact the overall applicant screening result.

RESIDENCY HISTORY

- All occupants 18 and over (except first-time renters) must have at least 6 months of verifiable and positive residency history immediately preceding application. Verification must be performed by a third-party entity. Verification by an individual will not be accepted unless proof of payments on a timely basis is included.
- First-time renters or applicants with no verifiable residency history will require payment of an additional deposit or acceptable guarantor in lieu of immediate past rental history.



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- Residency history that includes prior evictions within the last 5 years, multiple late payments, returned checks, poor housekeeping, conduct disturbing the rights and comforts of other residents, unauthorized occupants, property damage or failure to adhere to the policies and regulations of the community or management company will result in automatic denial of the application.
- Landlord reference indicating the landlord would not re-let to the applicant due to lease violation is grounds for automatic denial of the application.
- If Applicant owned his/her immediate prior residence, mortgage history will be verified through credit report or other documentation of home ownership.

CRIMINAL HISTORY SCREENING

- All applicants (and current residents upon renewal where applicable) will be screened for criminal history.
- **Rica Vista considers the entire application. We do not exclude individuals simply because of prior arrests and / or convictions and only consider records that are reportable under the Fair Credit Reporting Act and rules of CA.**
- Convictions do not result in automatic denial of application or lease renewal; consideration will be given to the nature, date, and circumstances of conviction.
- Convictions involving sexual misconduct (as defined by state law), drug related crimes, theft by check or a physical crime against a person or another person's property may allow approval of the application with special conditions, or denial based on the crime and date of said criminal charges.
- **Applicants or current residents appearing on the list of known terrorists and wanted fugitives as provided by the Office of Foreign Asset Control (OFAC), federal agencies (including the FBI or other state and local law enforcement agencies) will be denied.** All applicants and current residents aged 18 and over will be screened through the OFAC.
- If an application is denied based on criminal history information and the applicant does not dispute the criminal history screening information, but wishes to request a review of the nature, date and circumstances of the conviction, the Applicant must notify the property manager in writing to initiate the request for such consideration. If an applicant disputes the information from the third party report, the applicant must contact the screening provider to dispute the information believed to be inaccurate.

All persons 18 and over intending to reside in the apartment must qualify in each of the above categories with the exception that the household's combined income may be used to satisfy the rent to earnings ratio.

Any person under the age of 18 intending to occupy the apartment must be identified on the application and listed on the lease or such person will otherwise be considered an unauthorized occupant.

GUARANTORS

Acceptable guarantors must reside in the United States and qualify in each of the above categories. An additional deposit may be accepted if a qualified guarantor is not available.



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OCCUPANCY STANDARDS

Occupancy of the apartment is limited to those persons listed on the lease and is based on the number of bedrooms in a unit. A bedroom is defined as a space within the premises that is used primarily for sleeping, with at least one window and a closet space.

Apartments will be leased in accordance with the following minimum and maximum household compositions in each unit size. Occupancy standards serve to prevent the over-utilization or under-utilization of units that can result in an inefficient use of housing. Occupancy standards also ensure that residents are treated fairly and consistently and receive adequate housing space.

Bedroom Size	Persons per Household	
	Minimum	Maximum
1	1	3
2	2	5

To determine the proper bedroom size, for which a household may qualify, the following household members are to be included:

- all full-time members of the household;
- all children anticipated to reside in the unit including children away at school who live in the apartment during school breaks;
 - Except Students that have established residency at another address.
- children subject to custody agreements or joint custody, residing in the apartment at least 50% of the time or a minimum of six (6) months out of the year;
- unborn children;
- foster children;
- Live-in attendant.

In the event an applicant family member, or someone associated with that household, has a physical or mental handicap which requires an apartment larger than the size allowed above, Pinnacle will allow the applicant family to apply for an apartment of the required size if one is available.

Definition of occupants - Occupants can include roommates on the lease, or immediate family members. Immediate family members are defined as persons under the age of 18, or legal dependents, that are indicated on the most recent federal or state income tax form or similar government form such as adoption papers. Roommates or non-immediate family members need to apply individually for lessee status, complete an application and be screened. Occupants must not have any automatic rejections.

PROCEDURE FOR NOTIFICATION OF DENIAL OF APPLICATION

Should your application be denied, an adverse action letter will be provided. You may have the opportunity to file a grievance challenging the decision to deny your application; you will receive information regarding your rights to grievance with the adverse action letter.



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ACKNOWLEDGMENT

By signature below, Applicant acknowledges that he/she has reviewed the rental selection criteria, which includes reasons why the application may be denied. The Applicant understands that if he/she does not meet the rental selection criteria or fails to answer any question or gives false information, we may reject the application, retain fees allowed by statute and terminate any right of occupancy.

ALL ADULT APPLICANTS MUST SIGN & DATE:

Applicant Signature Date

Applicant Signature Date

Applicant Signature Date

Applicant Signature Date

