



RESIDENT SELECTION PLAN USDA-RD Properties



1. Project Eligibility Requirements

This property is funded by the USDA-RD Program, Section 42 Low Income Housing Tax Credit, and/or the HOME Program and follows the rules and regulations of each program. Project eligibility establishes whether applicants are eligible to reside in the specific project to which they have applied. Program eligibility does not constitute acceptance, and further screening is required to determine applicant’s ability to maintain successful tenancy.

No person shall be denied the right to apply for housing owned or managed by Community Housing Initiatives (the Agent). All applications must be completed in full and signed by the applicant. Incomplete applications received will not be processed until complete.

2. Income Limits

The units at USDA-RD Properties are eligible for project-based rental assistance by qualified applicants. This means that an applicant/resident must have a total annual income (wages, Social Security, pension, Interest on assets, etc.) that does not exceed the income limits set forth by the USDA-RD. This USDA-RD Property admits persons whose income level places them in the very low-, low-, and moderate-income categories, as defined by USDA. USDA updates the income levels on an annual basis.

This project is also subject to the income limits of other government programs including the Low Income Housing Tax Credit and/or the HOME Program. The income limits for these programs are updated annually by the Iowa Finance Authority.

3. Occupancy Policy

An appropriately sized unit must be available within the project to house you and your household. The unit size will be based on the number of eligible persons in the household. Generally, Community Housing Initiatives occupancy standard is 2 per bedroom plus 1.

The Occupancy Policy for USDA-RD Projects is as follows:

Number of Bedrooms:	Minimum Occupants:	Maximum Occupants:
0	1	2
1	1	3
2	2	5
3	3	7
4	4	9

Preference will be given to current over/under used households before applicants from the waiting list.

4. Waiting List

A. Taking Applications

Applicants make their first contact with the property by telephone or email. At that time basic questions are answered, a tour is scheduled if desired, and an application is sent.

The application for admission requests the following information:

1. Current Sources and Amounts of Income,
2. List and Value of Assets Owned or Recently Disposed of,
3. Detail of Annual Medical or Childcare Expenses,
4. Personal and Landlord References,
5. Student Status,
6. Race and Ethnicity,

*Race and Ethnicity of each applicant shall be collected and recorded on the waitlist. This information is collected for statistical purposes only and will not be used when making eligibility determinations or in any other discriminatory manner.

7. Social Security Number

*Documentation of the Social Security number (either the card issued by the Social Security administration or other acceptable evidence of the SSN) must be provided for all applicants, including minors. These documents are copied and placed with the application.

*If the applicant does not have documentation, the applicant should submit a signed statement of his/her Social Security Number. The Applicant will then have 60 days to submit acceptable documentation of the Social Security Number. This period can be extended another 60 days for elderly or disabled applicants.

8. Signatures and Releases.

- To be eligible for assistance, residents must be U.S. citizens, or qualified non-citizens. The owner must obtain the following documentation for all family members regardless of age:
 - a. From U.S. citizens, U.S. birth certificate or U.S. passport.
 - b. From non-citizens, documentation of eligible non-citizen status and proof of age.

When an application is received the form is dated, time is noted, and the application is signed by the manager. Using the information presented on the form, an initial calculation is made to determine eligibility. If it appears that the applicant falls within the income guidelines, the level (very low, low, or moderate) is noted on the application form. If they do not qualify for one of these levels, a letter is sent to them indicating that, based on the information they have provided, they do not appear to be eligible to be placed on the waiting list.

A criminal background check is done, and a credit data inquiry is requested. Lack of credit is not sufficient grounds for rejection but in lieu of good rental history, applicants must provide acceptable alternative documentation to be considered for occupancy. Good rental history can be considered in lieu of lack of credit.

A file is prepared for each waiting list applicant, and the person is added to the master waiting list for the bedroom size(s) that they would be eligible to inhabit, at the income level calculated. The waitlist is managed and updated at least monthly.

B. Preferences

When persons inquire and when applicants are placed on the waiting list, they are advised of the following preferences:

- a. Preference is given to very low-income applicants who will be selected from the waiting list in order of date and time received, then low-income applicants, then moderate-income applicants.
- b. VAWA Emergency Transfer.
- c. Current residents requiring a different size unit due to over/under occupying a unit are given priority over new applicants.
- d. Eligible Households who need an ADA accessible unit have priority regardless of income. If more than one applicant requires a handicapped unit, the lower income applicant is offered the unit first.
- e. Persons who have a Letter of Priority Entitlement (LOPE) from being displaced by Agency action or by a federally declared disaster area have priority over all other applicants of the individual applicant's income group.

The applicants that are "skipped over" to meet the above priorities will be placed on the waiting list in order of date and time received.

C. Income-Targeting

If the project has LIHTC or HOME funding, a unit may be left vacant if there is no eligible applicant who meets the criteria of the next available unit rule.

D. Managing and Updating the Waiting List

At least monthly, the waiting list is updated, adding new applicants and removing those who have moved into the facility or who have withdrawn from the list is provided on the form for comments so that on-going communication with applicants is documented.

E. Reinstating Applicants to the Waiting List

If an applicant is removed from the waiting list and subsequently the owner determines that an error was made in removing the applicant, the applicant must be reinstated at the original place on the waiting list.

F. Applicant Screening Criteria

When a unit is available, the process of moving an applicant from the waiting list to move in begins. This process involves the following steps:

1. Landlord Reference: Applicants are required to provide to the manager a minimum of two years satisfactory references from the applicant's rental history, confirming that the applicant's account at such previous apartment is current and verifying that the applicant has no record of disturbance of neighbors, destruction of property, very poor housekeeping, bedbug infestation, illegal drug use or drug addiction, violence, or other problems relative to the applicant's ability or willingness to comply with the terms of the lease for such person's apartment. Section 8 Voucher holders and applicants under the age of 24 will not be denied for lack of rental history.
2. Criminal History: A criminal background check will be conducted on all applicants over the age of 18 upon initial and annual recertification.
3. Credit Check: A credit report will be conducted on all applicants over the age of 18 upon initial and annual recertification.
4. Intake to summarize all income, assets, and medical and childcare expenses on the initial certification form and verify age to determine household allowances.

5. Signing of verification forms for all financial and medical establishments; Signing of Income and Assets paperwork; and all other verification and related paperwork. Collection of recent pay stubs for adults with employment income.
6. Forms are sent to financial, employment, and medical establishments.

a. Applicants may be denied occupancy for any of the following reasons:

1. Income level that exceeds USDA, LIHTC, or HOME Income Limit Requirements.
2. Poor Credit History which includes:
 - Money owed to previous property owners. Including, but not limited, to judgments for damages, unpaid rent, and utilities.
 - There may be no judgments against an applicant by a property owner or manager.
 - Un-paid utilities at any of the utility companies, including city provided utilities, the property utilizes, unless applicant can provide written proof from utility company demonstrating balance has been paid in full or that there is a payment plan in place and utilities can be placed in their name.
 - Bankruptcy or foreclosure within the past 3 years.
 - More than 6 accounts (per adult household member) in any of the following (with the exception to medical and/or student loans):
 - Accounts in collections with a balance due.
 - Current accounts with a past due balance.
 - Accounts with no balance if they have had more than 3 late payments in the last 12 months.
3. Unsatisfactory Landlord Reference: Information learned from current or previous landlords, including but not limited to:
 - Violation of the Lease or Community Rules,
 - Evictions in the past 3 years. Applicants will be denied if they were evicted or asked to vacate in lieu of an eviction within the last 3 years, or if they have had 3 or more evictions in the last 20 years.
 - Records of Disturbance of Neighbors, Destruction of Property or Other Disruptive or Dangerous Behavior: Includes behavior or conduct which adversely affects the safety or welfare of other persons by physical violence, gross negligence or irresponsibility either on or off the property in which you reside; which damages the equipment or premises in which the household has lived; which is disturbing or dangerous to neighbors or disrupt sound family and community life (with the exception of protections under the Violence Against Women's Act of 2005{VAWA}).
 - Grossly Unsanitary or Hazardous Housekeeping – Any health or safety hazard created by acts of negligence and causing or permitting any damage to or misuse of the premises and equipment. If the applicant was responsible for such hazards, damages, or misuse, including but not limited to causing or permitting pest infestations, depositing garbage improperly, failing to use and maintain utilities, facilities, services, appliances, and equipment in a responsible and proper manner.
 - Illegal Drug use, addiction, paraphernalia, or suspicion of drug trafficking.
4. Criminal History:
 - Felony: Applicants with a felony within the last 7 years or 3 felonies in the last 20 years will be ineligible for tenancy.

- **Violent Behavior:** Includes evidence of acts of violence or of any other conduct, which would constitute a danger or disruption to the peaceful occupancy of neighbors in the last 5 years, or 3 in the last 10 years. Examples include, but are not limited to assault, battery, going with intent, 1st degree harassment, or child endangerment.
- **Multiple Convictions:** 3 or more convictions (including misdemeanors) within 5 years that would impact the safety of other residents. Examples include, but are not limited to, theft, destruction of property, or disorderly conduct.
- **Sexual Crimes:** Include convictions for the offenses of rape, solicitation, stalking, pandering, indecent exposure, or other sex crimes.
- **Sex Offender Registry:** All applicants will be deemed ineligible if listed on the sex offender registry.
- **Murder, Voluntary Manslaughter, or Arson:** All convictions will deem the applicant ineligible for residency.
- **Drug Convictions:** Applicants with non-felony drug possession convictions within the last 3 years and non-felony drug distribution or manufacturing convictions in the last 5 years will be ineligible for tenancy. (Does not include alcohol or marijuana.) Any household containing a member(s) who was evicted in the last 3 years from federally assisted housing for drug related criminal activity. And any member who is currently engaged in illegal use of drugs or individuals whose behavior shows a pattern of alcohol abuse that interferes with the health, safety, or right to peaceful enjoyment of the premises or by other residents.

b. Applicants or current residents may be denied/terminated for occupancy for the following reasons:

1. Failure to cooperate with Recertification Procedures: Failure to provide adequate documentation and/or sign required documents.
2. Termination of Rental Assistance due to Fraud.
3. Manager may terminate the lease with a current resident who does not comply with all provisions within the lease and all the corresponding attached addendums to the lease. Findings upon the annual criminal check that can lead to the termination of the lease agreement may include any of the above findings.
4. Harassment/Bullying – Any use of foul language or disruptive behavior during the application process could result in a denial of the application.

G. Procedures for Rejecting Ineligible Applicants

Applicants who are rejected are notified in writing within 10 days of receipt of the application. The written notification states the reason(s) for the rejection and indicates that the applicant has the right to respond in writing or request a meeting within 10 calendar days to dispute the rejection.

If an applicant submits a dispute of the rejection, the owner’s staff will review the dispute and respond within ten business days of receipt of the dispute, the owner will advise the applicant in writing of the final decision on eligibility.

H. Student Eligibility

Owners must determine a student's eligibility for rental assistance at move-in and annual recertification. Students must meet student eligibility requirements of all housing programs at this property to be accepted.

For the LIHTC and/or HOME Programs, if a single applicant or an entire household is comprised of full-time students then the applicant(s) will be considered ineligible for tenancy, unless one of the following exceptions is met:

1. At least one student is receiving assistance under Title IV of the Social Security Act (TANF)
2. At least one student was previously under the care and placement responsibility of the state agency responsible for administering foster care.
3. At least one student participates in a program receiving assistance under the Job Training Partnership Act, Workforce Investment Act, or under other similar, federal, state or local laws.
4. At least one student is a single parent with child(ren) and this parent is not a dependent of another individual and the child(ren) is/are not dependent(s) of someone other than a parent.
5. The students are married and entitled to file a joint tax return.

For the USDA-RD Program, a student may be eligible if **ALL** the following conditions are met:

1. The student is of legal age in accordance with the applicable state law or is otherwise legally able to enter into a binding contract under state law.
2. The person seeking occupancy has established household separate and distinct from the person's parents or legal guardians.
3. The person seeking occupancy is no longer claimed as a dependent by the person's parents or legal guardians pursuant to Internal Revenue Service regulations, and evidence is provided to this effect.
4. The person seeking occupancy signs a written statement indicating whether or not the person's parents, legal guardians, or others provide any financial assistance and this financial assistance is considered part of current annual income and is verified in writing.

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 (in excess of amounts received for tuition and any other required fees and charges) is included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance. *Owners must verify parents' income each time they determine the eligibility of the student to receive Section 8 assistance unless the student can demonstrate his or her independence from parents. Owners may accept a signed declaration and certification of income from the parents, which includes a penalty of perjury clause.*

5. Unit Transfer

Transfers between apartments are usually not allowed. To be eligible for a transfer from a one to two bedroom or two to three bedrooms, the resident must have at least paid rent on time for three consecutive months and must not have any lease violations during that period. If the request involves a health situation, a statement from a qualified individual is required. A Transfer will be allowed upon request of an accessible unit or an Emergency VAWA Transfer request. Preferences listed in Section 6.B. above will be applicable.

When a request for transfer is granted, the following procedures are followed:

1. The transfer will be made at a time when the condition of the waiting list does not reflect an immediate urgency for the person next on the list.
2. The resident requesting the transfer will follow all procedures on the “move-out procedures” form used by residents when they vacate an apartment.
3. If the move is within the same building it will be considered a transfer. If it is from one building to another it will be treated as a move out / move in. An application and recertification of income is required if moving from one building to another.
4. The resident is responsible for transferring cable and phone connections and for the cost associated with these transfers.
5. If there are extraordinary costs in preparing the unit from which the resident is transferring, these costs will be charged to the resident. The original security deposit will be transferred to the new unit.
6. The transfer and preparation of the apartment being vacated will be completed in four days, with apartment and mailbox keys turned in by the end of that period.
7. The paperwork required for the transfer will be completed prior to the transfer.

6. Marketing

The waiting list remains open with the understanding that those who are listed are fully informed of its length and the policies/procedures for selecting individuals and updating the list. The project will market the units in accordance with the Affirmative Fair Housing Marketing Plan.

7. Recertification of Income & Wage Match

Owners are required to recertify each household at least annually. Management will send a recertification request 90 days prior to the due date of the recertification. The resident will be bound by the lease to complete the recertification process. Income, assets, deductions and family composition will be verified at this time. Failure to complete the recertification process will result in termination of the lease.

A criminal background check will be done on everyone 18 or older residing in the household at each annual recertification. Any activity found in violation of the lease and or its attachments will result in termination of the lease.

In addition to Annual Recertifications, Certifications are required anytime during the year for changes in family composition, and changes in income. It is the resident’s responsibility to report changes within 30 days of the change occurring.

USDA-RD may “Wage Match” any resident at this project. Wage Matching is performed in an effort to make sure residents are appropriately reporting income and management companies are appropriately calculating income. Wage matching is used as a means to protect the rental assistance provided by the USDA-RD.

8. VAWA Protections

Community Housing Initiatives supports victims of domestic violence, dating violence or stalking and protects victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing as a consequence of domestic violence, dating violence or stalking.

- Community Housing Initiatives provides all residents notice of their rights and obligations under VAWA.
- Community Housing Initiatives provides residents with the option to complete the Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91 066. The certification form is available to all families upon their acceptance as a resident.

9. Discrimination

Community Housing Initiatives, Inc.:

- Complies with Section 504 of the Rehabilitation Act of 1973 and does not discriminate on the basis of disability in any program or activity. Compliance with the Fair Housing Act is evidenced by placement of required signage, logos, and statements on the premises and in all publications and documents.
- Complies with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination on the basis of race, color, creed, religion, sex, gender identity, handicapped status, familial status, national origin, age, marital status, or sexual orientation in its programs and activities.
- Does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.
- Allows individuals with disabilities have the right to request reasonable accommodations.
- Does not retaliate, coerce, intimidate, threaten or interfere with any person's exercise or enjoyment of any Fair Housing right or take action on account of a person's actions to aid or encourage any other person in the exercise or enjoyment of any Fair Housing right.

This project is subject to Title VI of the Civil Rights Act of 1964, Title VIII of the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, The Age Discrimination Act of 1975, and The Americans with Disabilities Act. Civil Rights Complaints can be made to: U.S. Department of Agriculture's Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, S.W., Washington, DC 20250-9410 or to the Office of Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development (HUD), Washington, DC 20410. Complaints received by Agency employees must be directed to the National Office Civil Rights Staff through the State Civil Rights Manager or Coordinator.

The procedure for grievance and appeals is available for applicants and residents of the project to request. Requests for the grievance and appeals procedure and complaints regarding the application process are to be made to:

Director of Compliance, Community Housing Initiatives, P.O. Box 473, Spencer, IA 51301.

(Apartments will not be held vacant during the dispute period)

The Director of Compliance will contact the applicant after reviewing the information within 10 days of receipt of the written dispute

1. If the rejection is deemed invalid the applicant will be so notified and offered the unit (if still available, or the next available unit if not), as long as they are otherwise qualified.
2. If the rejection is deemed valid, the applicant will be so notified.

Applicants are advised that they can re-apply at any time.