



## SCREENING AND ELIGIBILITY GUIDELINES PARKVIEW MANOR APARTMENTS



### I. EQUAL OPPORTUNITY HOUSING POLICY STATEMENT

**Parkview Manor Apartments** and its agents and affiliates are pledged to the letter and spirit of U.S. law and policy for the achievement of equal housing opportunity throughout the nation. **Parkview Manor Apartments** and its affiliates comply with all applicable federal, state and local laws which prohibit discrimination against persons because of race, color, religion, religious creed, ancestry, national origin, place of birth, sex, pregnancy, age, familial status, sexual orientation, handicap or disability, use of a guide or support animal because of blindness, deafness or any physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is known to have a relationship or association. **Additionally, Parkview Manor Apartments** complies with the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) as well as the technical corrections to the VAWA (Public Law 109-271). This law offers guidance protecting against evictions or denial of housing based on domestic violence, dating violence, or stalking.

**Parkview Manor Apartments** is considered by HUD to be a non-insured project with a Section 8 HAP contract. It is considered a Section 8 Substantial Rehabilitation Elderly Family project. **Parkview Manor Apartments** will admit applicants whose head or spouse or sole member is a person at least 62 years of age. It may be two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides. **Parkview Manor Apartments** will also admit a disabled family whose head, spouse, or sole member is a person with disabilities. It may include two or more persons with disabilities living with one or more live-in aides. In addition, Parkview Manor will admit persons with Disabilities as defined in 42 U.S.C. 423. A person with disabilities for the purpose of program eligibility:

- (1) Means a person who:
  - (i) Has a disability, as defined in 42 U.S.C.423;
    - (A) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
    - (B) In the case of an individual who has attained the age of 55 and is blind, inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he/she has previously engaged with some regularity and over a substantial period of time. for the purpose of the definition, the term blindness, as defined in section 416(i) (1) of this title, means central vision acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as

- having a central visual acuity of 20/200 or less
  - (ii) Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional Impairment that:
    - (A) Is expected to be of long-continues and indefinite duration
    - (B) Substantially impedes his or her ability to live independently, and
    - (C) Is of such of nature that the ability to live independently could be improved by more suitable housing conditions. ; Or
  - (iii) Has a developmental disability, as defined in Section 102 (7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S. C. 60001(8), i.e., a person with a Severe chronic disability that:
    - (A) Is attributable to a mental or physical impairment or combination of mental and physical impairments;
    - (B) Is manifested before the person attains age 22;
    - (C) Is likely to continue indefinitely;
    - (D) Results in substantial functional limitation in three or more of the following areas of major life activity:
      - (a) Self-Care
      - (b) Receptive and expressive language,
      - (c) Learning
      - (d) Mobility
      - (e) Self-direction
      - (f) Capacity for independent living, and
      - (g) Economic self- sufficiency; and
    - (E) Reflects the person's need for a combination and sequence of special, interdisciplinary or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated.
- (2) Does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising form the etiologic agent for acquired immunodeficiency.
- (3) For purposes of qualifying for low- income housing, does not include a person whose disability is based solely on alcohol dependence; and
- (4) Means person with disabilities (individual with handicaps), as defined in 24 CFR 8.3 for purposes with disabilities.

**Parkview Manor Apartments** and its affiliates comply with Section 504 of the Rehabilitation Act of 1973, The Fair Housing Act Amendment of 1988 and Title VI of the Civil Rights Act of 1964.

**Parkview Manor Apartments** shall take all appropriate steps to ensure effective communication with applicants, residents, and employees with disabilities and shall furnish appropriate auxiliary aides when necessary to effectively communicate with the person with a disability and persons with Limited English Proficiency. Examples of appropriate auxiliary aides include, but are not limited to, qualified interpreter, Sign Language interpreters, assertive listening systems, and readers, use of taped materials, and materials, in Braille or in other languages. If an applicant, resident, employee, or member of the public needs written materials in one of these forms or would like to use the services of an interpreter, he or she should make that request to the originating **Parkview Manor Apartments** department or 504/ADA Coordinator at least five (5) business days prior to the meeting or when the materials are needed at:

Oakland Planning and Development Corp.  
 504/ADA Coordinator  
 294 Semple Street  
 Pittsburgh, Pa. 15213  
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*Should you need assistance with a hearing or speech disability, please dial 711 to utilize the Relay Service.*

The request should state the format that is most acceptable to the requestor. **Parkview Manor Apartments** will pay for all services and materials associated with the request. However, **Parkview Manor Apartments** will not pay for materials intended only for personal use, such as typewriters, computers, or other assistive technology not related to the meeting or documents requested.

If a request is denied for any reason or an unacceptable alternative is offered, the requestor may request an informal hearing or formal Grievance Hearing by following the procedures set forth in **Parkview Manor Apartment's** grievance procedure.

## **II. PROJECT ELIGIBILITY REQUIREMENTS**

**Parkview Manor Apartments** does not discriminate based on of race, color, religion, religious creed, ancestry, national origin, place of birth, sex, pregnancy, age, familial status, sexual orientation, handicap or disability, use of a guide or support animal because of blindness, deafness or any physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is known to have a relationship or association.

- A. There will be no priorities or application criteria (e.g., variations in applications, variations in charges or deposits) based upon race, color, religion, religious creed, ancestry, national origin, place of birth, sex, pregnancy, age, familial status, sexual orientation, handicap or disability, use of a guide or support animal because of blindness, deafness or any physical handicap of the user or because the user is a handler or trainer of support or guide animals or because of the handicap or disability of an individual with whom the person is know to have a relationship or association.
  
- C. By law, only U.S. citizens and eligible non-citizens may benefit from federal rental assistance. All family members, regardless of age, must declare their citizenship status. All applicants will be treated equally when administering the restrictions on assistance to non-citizens, as outlined in Section 214 of the Housing and Community Development Act of 1980 as amended – Restrictions of Assistance to Non-Citizens. In implementing the Restriction on Assistance to Non-Citizens, including pro-rated assistance – if applicable, Management will follow the procedures set forth in HUD Handbook 4350.3, Rev. 1, Section 3-12.
  
- D. The head of household/spouse/co-head and all family members must provide a complete and accurate Social Security Number, as well as a Valid Social Security card issued by the Social Security Administration or other verification resources approved by HUD. Applicants on the waiting list, whose head-of-household has submitted his or her Social Security Numbers, may remain on the waiting list even if the other household members have not submitted Social Security Numbers. However, the otherwise eligible household may not be deemed eligible, and cannot be housed until all household members have submitted valid Social Security Numbers and acceptable verification that the Social Security Number is correct.
  
- E. Students:  
Any adult member of the household that is also a student (part-time or full time) at an institution of higher education (as defined under Section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002) do not qualify for Section 8 assistance unless they are also:

1. At Least 24 years of age
2. A veteran
3. Married
4. Have dependent child
5. Is a person with disabilities as such term is defined in Section 3 (b) (3) (E) of the United States Housing Act of 1937 (42 U.S.C. 1437 a (b) (3) (E)) and was receiving assistance under such Section 8 as of November 30, 2005.
6. Both the individual and the individual's parents must meet the applicable income limits that would establish that all parties would qualify for Section 8 assistance or (b) For the purpose of determining the eligibility of a person to receive assistance under Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) and financial assistance (in excess of amount received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) from private sources or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)) shall be considered income to that individual except for a person over the age of 23 with dependant children.
7. If the individual can demonstrate his other independence from their parents.

Criteria for determining independence from parents:

1. The student must be of legal contract age under the law.
2. The individual must have established a household separated from parents or legal guardians for at least one year prior to application.
3. The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.
4. The individual must obtain a certification of the amount of financial assistance that will be provided by parent, signed by the individual providing the support.

Written documentation from third parties will be reviewed to verify that each applicant meets the income and applicable disability requirements. Management is required by HUD to use HUD's web based electronic income verification system when verifying the employment and income of applicants. This system ensures that discrepancies in assisted housing rental determinations are identified and corrected.

### **III. INCOME LIMITS**

**Parkview Manor Apartments** accepts applicants up to HUD's very low income limit. These limits are updated annually by HUD and posted in the Management Office.

At the time of application each applicant will be designated very low (50% of Area Median Income) or extremely low (30% of Area Median Income). When assigning units, a priority may be granted to families with extremely low income in accordance with statutory requirements that at least 40% of all covered units leased each calendar year are leased to extremely low-income families.

Management will alternate between the first extremely low-income applicant on the waiting list and the applicant at the top of the waiting list. Management will select the first extremely low-income applicant on the waiting list (which may mean "skipping over" some applicants with higher incomes) for the available unit and then select the next eligible applicant currently at the top of the waiting list (regardless of income level) for the next available unit. As subsequent units become available, tenant selection continues to alternate between the next extremely low income applicant and the eligible applicant at the top of the waiting list until the 40% target is reached.

It is possible that:

- a. Selection of the “next extremely low income applicant” may result in selecting the applicant at the top of the waiting list; or
- b. Selection of the “eligible applicant at the top of the waiting list” may result in the selection of an extremely low-income family.

#### **IV. APPLICATION PROCESS**

Applications will be accepted during normal business hours or by mail.

On the day of receipt, the application will be time and date stamped.

Applications will be screened with program eligibility requirements and the criteria set forth in this Tenant Selection Plan.

An “initial screening” of eligibility will be conducted, including areas of income and disclosed criminal, drug, and/or rental history. Based on the “initial screening,” the applicant will be added to the waiting list. If no waiting list exists and the initial screen determines the applicant is eligible, Management will begin processing the applicant for occupancy.

#### **V. WAITING LIST**

A. Data included on the waiting list must include the following data taken from the application:

1. Date and time the applicant submitted an application;
2. Name of head of household;
3. Annual income level (used to estimate levels for income targeting);
4. Identification of the need for an accessible unit, including the need for accessible features;
5. Preference status; and
6. Unit size

B. Maintaining Waiting list

1. Waiting list will be updated semi-annually by mail to all names on the waiting list.
2. If the household composition of an applicant on the waiting list changes, the family may be assigned to wait for a different size unit, but will retain the original application date.
3. An applicant will be removed from the waiting list as follows:
  - a. The applicant no longer meets the eligibility requirements for the property or program;
  - b. The applicant fails to respond to a written notice for an eligibility interview;
  - c. The applicant is offered and rejects two units in the property;
  - d. Mail sent to the applicant’s address is returned as undeliverable;

- e. The unit that is need – using family size as the basis – changes, and no appropriate size unit exists in the property.
- 4. If an applicant is removed from the list and subsequently Management determines that an error was made in removing the applicant (e.g., the incorrect address was used in sending mail to the applicant), the applicant must be reinstated at the original place on the waiting list.

## **VI. SCREENING AND REJECTION CRITERIA**

Program eligible applicants will be screened to determine if they are likely to meet the requirements of tenancy. Law enforcement records will be reviewed and references may be requested from previous landlords, banks, credit agencies and persons. All applicants must provide a reference from their previous housing provider.

The objective of our resident selection criteria is to effectively screen program eligible applicants to determine whether they, with or without supportive services, can or will:

- A. Pay rent and other fair charges on a timely basis pursuant to the lease agreement.
- B. Respect and avoid damaging site property and the property of others.
- C. Avoid interfering with the rights of others and health, safety, and peaceful enjoyment of the premises.
- D. Avoid criminal activity, including drug-related criminal activity; and,
- E. Comply with all necessary and reasonable rules of the building and with all health and safety codes. Both live-in aides and new additions to the tenant household must be screened for drug abuse and other criminal activity by Applying the same criteria for screening as other applicants.
- F. Applicants will be screened thru the Enterprise Income Verification (EIV) system's Existing Tenant Search. EIV queries both Multifamily Housing and Public Indian Housing locations to determine if any member is currently receiving rental assistance. If the applicant is determined to be residing at another subsidized property, Management will discuss this with the applicant, giving the applicant an opportunity to explain any circumstances relative to his/her being assisted at another location. Management will also follow-up with the respective Public Housing Authority or Owner/Agent to confirm the individual's program participation status before admission. If applicant meets all required eligibility requirements, management will coordinate move-out dates with the owner/agent of the property at the other assisted property.

All program applicants must qualify under the following resident criteria:

- A. Established History of Credit

The credit history of each applicant expected to reside in the household shall be reviewed to determine the history of their payment practices including rent, utilities, outstanding loans, judgments, repossessions, foreclosures, etc.

After checking balances and to whom the applicant owes money, the evaluation will focus on the status of each account as follows:

1. Paid on time and number of times occurred
2. 30 days late and number of times occurred
3. 60 days late and number of times occurred
4. 90 days late and number of times occurred
5. 120 days late and number of times occurred
6. Write-offs and number of times occurred

The objective in reviewing the overall payment record is to obtain an indication of the probable expectation regarding rent payments clarification and consideration for write-off accounts and bankruptcy.

Two (2) accounts in excess of 90-120 days overdue or two (2) write-off accounts or any combination of these two will constitute a basis for rejection. Applicants will not be rejected on the basis of having no credit history.

Exceptions to these credit review standards will be made when appropriate to reasonably accommodate an applicant due to a disability. Exceptions for all applicants may be granted when a credit history problem relates to sudden loss of income, medical bills, or water, gas, or electric bills.

#### B. Rental History

References shall be obtained from current and previous landlords for a **minimum** of seven years prior to application for each adult member who plans to reside in the household. Applicant shall not be rejected on the basis of a previous landlord. However, temporary or transitional housing are not considered adequate landlord references.

#### C. Personal History

Persons with a history of disturbing neighbors, interfering with housing management, destruction of property, violent acts, or any conduct that might constitute danger or disruption to the health, safety, or enjoyment of other residents will be rejected.

#### D. Screening and Eviction Rule

Admission is prohibited if:

1. An applicant or household member who was evicted from Federally Assisted Housing for drug-related criminal activity within three years. There are two exceptions to this provision:
  - a. The evicted household member has successfully completed an approved, supervised drug rehabilitation program; or
  - b. The circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household).
2. Any household member is currently engaging in illegal use of a drug or for which Management has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may

interfere with the health, safety, and right to peaceful enjoyment of the property by other residents.

3. Any household member is subject to lifetime registration under a state sex offender registration program:
  - a. Must conduct mandatory screening for this in the State where any household members have resided in adult life.
4. Any household member if there is reasonable cause to believe that member'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 must be based on behavior, not the condition of alcoholism or alcohol abuse.

E. Criminal Record

Criminal record checks shall be completed before any applicant is approved for tenancy. Applicants, in their Application package, should have signed and return Authorization for Criminal Records Check.

**Parkview Manor Apartments** screens all applicants and household members 18 years of age and older (adult members), additionally, both live-in aides and new additions to the tenant household must be screened for drug abuse and other criminal activity by applying the same criteria established for screening other applicants. If the applicant, Live-in-aide or an adult household member has been convicted of a crime, the following policy applies, and admission is prohibited if:

**AT ANY TIME IN THE PAST OF:**

First or Second Degree Murder, Manslaughter  
Rape  
Sexual offenses against a child or children  
Armed robbery  
Arson

**WITHIN 10 YEARS OF THE DATE OF OFFENCE:**

Illegal manufacture of controlled substances  
Illegal sales or use of controlled substances  
Crimes that resulted in damage to persons or property  
Vehicular homicide  
Theft  
Stalking  
Assault

**VII. REASONABLE ACCOMMODATION AND CONSIDERATION OF MITIGATING CIRCUMSTANCES**

Throughout the resident screening procedure, applicants with disabilities are entitled to reasonable accommodations in rules, policies, practices or services and/or reasonable modifications of existing premises that may be necessary to afford equal opportunity. A log of reasonable accommodation requests and action taken should be maintained. If an applicant is certified as program eligible, the applicant must then meet the screening criteria of:



1. Landlord History
2. Credit Screening
3. Criminal History

Applicants can meet the requirements of tenancy with or without the assistance of:

1. An aide, attendant, or other outside support service
2. The provision of reasonable accommodation; and/or
3. A reasonable modification of the premises.

Services are provided on an individual case-by-case basis to be facilitated by the consumer and negotiated with The Department of Aging supplying agency.

In addition, in reviewing the above categories of information and determining whether an applicant is able to meet the requirements of tenancy and comply with the reasonable rules of the facility, management shall consider mitigating or extenuating circumstances. However, a unit will not be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

Assistance animals are permitted if they are animals that work, provide assistance, or perform task for the benefit of a person with a disability or animals that provide emotional support that alleviates one or more identified symptoms or effects of a person's disability.

Any requests for further information should be directed to the, 504 Coordinator.

If a tenant household is being moved to a different unit as a reasonable accommodation to a household member's disability, then the owner must pay for the move unless doing so would constitute an undue financial and administrative burden.

## **VIII. APPLICANT REJECTION AND APPEAL**

### **A. Grounds for rejection**

1. Not program eligible;
2. Failing or refusing to verify program eligibility material;
3. Fails to pass **Parkview Manor Apartments** screening criteria, or
4. Intentionally submitted false or misleading information relevant to a determination of eligibility or the ability to satisfy the obligations of tenancy.
5. Is unable to disclose and document social security numbers of all household members.
6. Failure or refusal to sign HUD Form 9887 – Notice & Consent for the Release of Information and/or HUD Form 9887A – Applicant's/Tenant's Consent to the Release of Information.
7. Has household characteristics that are not appropriate for the specific type of unit available at the time, or has a family of a size not appropriate for the unit sizes that are available;

NOTE: In such cases, the owner may deny the applicant admission to a specific unit, but the applicant may continue to wait for another unit.

8. Includes family members who did not declare citizenship or non-citizenship status, or sign a statement electing not to contend non-citizen status. However, management should permit families to revise their application to exclude proposed family members who do not declare citizenship or eligible non-citizen status.

B. Procedure

1. Rejected applicants shall receive written notice of the reason(s) for their rejection and be advised of 14 days to respond in writing or other acceptable format if the applicant/resident are unable to communicate his or her request in writing due to a disability to request a meeting to discuss the rejection.
2. **Parkview Manor Apartments** has the right to deny admission to any applicant if the criminal background check indicates the applicant provided false information, if the determination is made by either the PHA or owner to deny admission to applicant, the entity making the determination must:
  - a. Notify the applicant of the proposed denial of admission.
  - b. Provide the subject of the record and the applicant with a copy of the information the action is based upon.
  - c. Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.
3. Any meeting with the applicant or review of the applicant's written response shall be conducted by a member of staff other than the initial decision maker for the rejection decision.
4. After the applicant meets with Management to discuss this rejection, Management must give the applicant a written final decision within 5 days of the response or meeting.
5. If the rejected applicant does NOT request review of the rejection decision within the allotted time period, a closure letter shall be mailed confirming the rejection.
6. If, through this appeal process, the applicant is found to be eligible, the applicant will be placed back on the waiting list in his or her original place based on date and time of application filing.
7. For all rejected applicants, the following documents shall be maintained for at least three years:
  - a. Application
  - b. Initial rejection notice
  - c. Any applicant reply
  - d. Owner's final response
  - e. All interview and verified information on which the rejection was based.

**IX. GENERAL OCCUPANCY STANDARDS FOR DETERMINING NUMBER OF BEDROOMS**

- A. A maximum of two persons per bedroom

**X. CHANGES IN HOUSEHOLD COMPOSITION/UNIT TRANSFERS**

The household must request, in writing or other acceptable format if the applicant /resident is unable to communicate his or her request in writing due to a disability, a transfer to a different unit if eligible. Transfers shall be recorded based on date and time household requires or requested for a transfer and tracked on a manual transfer waiting list. When a vacancy occurs, the Agent shall determine if a transfer is warranted before proceeding to the applicant waiting list to select an applicant for a vacant unit. Any changes in household composition must be reported immediately to Management.

When a change in family composition occurs due to an adult child being essential to the care and well-being of the elderly tenant moves in after initial occupancy, they are considered a part of the family and their income must be counted. Additionally, their tenancy will terminate the same day the elderly tenant's tenancy terminates.

Determining factors for transfers can be;

1. A certified Medical reason received from a doctor; or
2. The need for a accessible unit or reasonable accommodations; or
3. Rent and all other charges must be current and there can be no outstanding lease violations.

**XI. OPENING AND CLOSING WAITING LIST**

**Parkview Manor Apartments** will advertise in accordance with a HUD-approved Affirmative Fair Housing Marketing Plan, which will include announcements concerning the opening and closing of the waiting list. The waiting list will be closed when the average wait is one year or more, calculated by the average turnovers from the past two years. **Parkview Manor Apartments** will begin to accept applications when the average wait to move in is less than one year, based on the average number of turnovers over the past two years.