



People Inc. TENANT SELECTION PLAN

People Inc. provides equal access to housing programs and does not discriminate based on race, color, sex, religion, disability, familial status, or national origin, as per the Fair Housing Act and Title VI of the Civil Rights Act of 1964. In addition, People Inc. will make housing available to eligible individuals/households without regard to the sexual orientation or gender identity of the applicant or occupants of the units.

We do not discriminate on the basis of disability status (per the Section 504 Rehabilitation Act) in the admission or access to, or treatment or employment in, its programs and activities. Applicants and/or tenants requesting a Reasonable Accommodation will be accommodated when possible.

Very low income subsidies are provided by the US Department of Housing & Urban development under the section 202 PRAC program.

The guidelines stated below are used to determine who can be admitted to reside at the project after final approval of all verified material.

1. Project – Eligibility Requirements

a. Project - Specific Requirements

- Elderly household (Head; Co-head; or sole member is 62 years or older)

b. Citizenship Requirements

- PRAC 202 properties: The restriction on assistance to noncitizens does not apply.

c. Social Security Number Requirement

- All applicants must disclose social security numbers for all household members upon move in.

Exceptions:

- Persons over the age of 62 or older as of January 31, 2010, whose initial determination of eligibility was begun prior to January 31, 2010, or
- Those individuals who do not contend eligible immigration status.

Applicants who do not have documentation of a social security number at the time the applicant is offered a unit, will be given 90 days to produce the documentation in order to remain on the waiting list, this includes any child under the age of 6 years who is added to the household within 6 months prior to date of admission. The unit being offered will continue to be rented to the next eligible applicant. After 90 days, if a social security number has not been provided for all household members, the applicant will be determined ineligible and removed from the waiting list.

Current tenants, who do not meet the social security number disclosure, documentation and/or verification requirement in a specified timeframe, will be terminated due to non-compliance with the lease/program.

2. Income Limit Requirements

The Household must meet the very low annual income guidelines for the number of people in the household. The amounts used are updated annually by the Dept. of HUD and will be for the county in which the facility is located.

3. Applications and Waiting List

a. Applications Received:

- Applications will be reviewed to be sure all pertinent information necessary to make a pre-determination of eligibility as well as, signature and dates are filled in. If an application is incomplete, the manager should send a letter requesting required information, signatures and/or dates to be submitted within 10 ten days in order to process application for the active waiting list.
- If complete, applications are dated on the date they are received in the office, with the time recorded.
- Date/time is recorded into the software program.
- Information regarding age and income, if applicable that is provided on application is reviewed to determine pre-eligibility. Verifications will be required within seven (7) days after an initial interview is scheduled for possible residency.

b. Applications Approved

If an applicant is deemed eligible:

- An acceptance letter is sent advising of their placement on the waiting list. This correspondence will clearly state that the acceptance is based solely on information provided by the applicant, and when an apartment becomes available; an Initial Interview will be scheduled **for no later than five (5) days after the date of the initial call/letter to contact**. All information will be updated, and applicable verifications will be obtained prior to the management offering an apartment.
 - *Note: If the alternate contact box is checked on the application, copies of all correspondence with the application will be sent to the person noted on the application.*
- An applicant's place on the waiting list is determined by the date on which all application information and signatures are received at the office; however, acceptance to the waiting list does not automatically guarantee eligibility for an apartment. Further screening as described in the applicant screening criteria section and the Initial Interview process must be completed prior to an apartment being offered. Apartments will be offered to the first eligible applicant(s) in order of receipt of a notice-of-intent.

c. Income-targeting:

- Does not apply to PRAC 202 properties.

d. Applicant Screening Criteria (No applicant screening fee applies)

- **EIV (Enterprise Income Verification)**: An "Existing Tenant Search" report will be processed for all applicants prior to move in to determine if they are currently receiving a housing subsidy. Applicants moving in with any type of housing subsidy will be required to accept responsibility for paying the daily

market rent if any subsidy overlaps from their previous residence. A maximum of three (3) days at market rent will be allowed so the applicant can make their move.

After move in: all tenants will be subject to EIV reports required by the Dept. of HUD as follows:

- a. Annually at every recertification anniversary.
 - b. For all interim recertification requests.
 - c. Monthly/Quarterly site reports which will include: Failed EIV pre-screening; Failed Verifications; Quarterly Multiple Subsidy and Deceased Tenant's reports.
 - d. Income discrepancies will be reviewed with the tenant upon notification and repayment agreements (if applicable) will be entered into within 30 days from the date the report is received.
- Credit Must Include:
 - a. Mandatory utility services must be in the tenant's name by move in date.
 - b. No consistent, severe or recent history of significant deficiencies in overall credit and/or more than one non housing related judgment issued against the applicant or household member. We will consider extenuating circumstances for medical related judgements.
 - c. The inability to verify credit references or lack of a credit score will not be grounds for rejection.
 - d. The applicant's financial inability to pay his/her monthly contribution toward the rent of the unit may be assessed.
 - Previous Tenants:
 - a. Who have financial obligations to People Inc. will be rejected. They may be able to reapply and may be accepted to the waitlist after payment is made in full.
 - Criminal History:

Applicants applying for State/HUD-funded housing and have a criminal record will be afforded rights and protections with the exception of the following TWO mandatory reasons for denial:

 - a. Conviction for methamphetamine production, or
 - b. Being a lifetime registrant on a state or federal Sex Offender database.
 - We screen using Multi-State Criminal/National Sex Offender website

If the conviction did not involve physical violence or affect the health, safety and welfare of others, and has been confirmed, it may not be considered in assessing the housing applicant.

If the conviction did, the applicant will be provided with an opportunity to answer specific questions such as:

- a. Time passed since conviction,
- b. Age at time of conviction,
- c. Seriousness of conviction, and
- d. Evidence provided regarding rehabilitation, treatment programs, volunteer work, and paid employment.

The answers provided will be reviewed by a committee who will complete a worksheet and assess the answers given to determine eligibility.

- HUD has Established Standards that Prohibit Admission of:
 - a. Any household containing a member(s) who was evicted in the last three years from federally assisted housing for drug-related criminal activity.
 - b. A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with health, safety and right to peaceful enjoyment of the property by other residents.
 - c. Any household member who is subject to a State sex offender lifetime registration requirement; and
 - d. Any household member if there is a reasonable cause to believe that the 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 are based on behavior, not the condition of alcoholism or alcohol abuse.

Use of Marijuana

Applicants will be denied admission to assisted housing for any household with a member determined to be illegally using a controlled substance including marijuana in all forms.

Management has a right to use discretion to determine, on a case-by-case basis, when it is appropriate to evict the tenants of any household with a member who is illegally using marijuana or whose use of it interferes with the health, safety or right to peaceful enjoyment of the other tenants.

Failure to Report Criminal Activity

Any applicant who does not report a criminal conviction or incarceration on the application for admission and it is discovered that the applicant does have a conviction or was incarcerated will not be considered for admission.

Criminal Screening Discoveries

If the criminal background investigation results indicate that the applicant does not meet the criminal screening criteria, People Inc. will reject the application in accordance with the HUD guidelines for applicant rejections. Before rejecting the household, People Inc. will compare the information provided by the applicant with the criminal history report. If the information conflicts, People Inc. will:

- a. Notify the household of the proposed action based on the information obtained.
- b. Inform the applicant how to obtain a copy of the report.
- c. *Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained by providing documentation to refute the criminal discovery. Failure to provide the documentation will result in denial.*
- d. Allow the household the opportunity to remove the household member.

e. Procedures for Rejecting Ineligible Applicants

If an applicant is deemed ineligible:

- a. A letter will be sent within 3-5 business days of receipt of the application that clearly states the reason the rejected determination has been made. The applicant will be advised of the reason for the rejection and advised of their right for an appeal. The applicant shall have fourteen (14) days from the date of the letter to respond in writing or to request a meeting to discuss the rejection.

- b. Any meeting with the applicant to discuss the applicant's rejection will be conducted by a member of People Inc.'s staff who was not involved in the initial decision to deny admission. The final decision on eligibility will be sent via written notice within five (5) business days of having the meeting.
- c. The application, the notice of denial, the applicant's reply (if any) and the final response must be maintained on file for a period of no less than five years. The file must contain all interview and verified information on which the determination is based.
- d. Applicants rejected for circumstances listed below cannot reapply for a minimum of 12 months after the date of the original rejection date. Circumstances may include, but are not limited to the following:
 - Drug related activity or criminal activity will result in denial.
 - Documented misrepresentation of items on the previous application.

4. Occupancy Standards

- a. The following describes the occupancy requirements:
 - One bedroom: minimum one; maximum two
- b. Any surviving member of an eligible household who was listed as a household member on the HUD50059 and is of legal age can remain in the unit. Live in aides are not considered a household member.
- c. After move in: if a unit becomes over crowded due to a change in family composition, the family will be required to comply with occupancy standards. If unable to comply, they will need to vacate the unit.

5. Unit Transfers

After move in commences, if a tenant wishes to transfer to a different unit due to change in disability or for a reasonable accommodation:

- a. A transfer request form must be completed and verification for the need to transfer will be approved from non-accessible to handicap accessible units (or due to a reasonable accommodation) with a health care provider statement explaining the tenant's need for the accessible unit (or transfer).
- b. Current tenants will receive preference for accessible units over any applicant on the waiting list once the completed verification is received.
- c. When there are no applicants on the waiting list for a wheelchair accessible unit, applicants who are offered and accept the unit even though they do not need the features of an accessible unit, will be offered the opportunity to move, then transferred to a non-accessible unit when and if:
 - The unit is needed for an applicant who has a need for the features of an accessible unit, and
 - A non-accessible unit becomes available for them.
- d. Moving costs will be arranged for by People Inc.

6. Section 504 and the Fair Housing Act

Identifying applicants needs for accessible units or reasonable accommodations

- a. People Inc. will comply with Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination on the basis of disability in any program or activity receiving financial assistance from HUD.
- b. To be eligible for an accessible unit or a Reasonable accommodation, an applicant must be disabled; defined as:
 - A person who has a physical or mental impairment that substantially limits one or more major life activities;
 - Has a record of such an impairment, or
 - Is regarded as having such impairment.

Examples of a reasonable accommodation would be an emotional support animal, grab bars, live in aide. For more information on the Section 504 Coordinator please contact (716) 817-9090.

7. Violence against Women Act

Protection for Victims of Domestic Violence, Dating Violence, or Stalking

Tenants, and their immediate family members, who are applying for or receiving rental assistance payments under our housing program who are victims of domestic violence, dating violence, sexual assault or stalking will be protected from being evicted or being denied housing assistance if an incident of domestic violence, sexual assault, stalking or being affiliated with a victim is reported and confirmed. Any such incident will not qualify as a serious or repeated violation of the lease nor does it constitute good cause for terminating the assistance, tenancy or occupancy rights of the victim.

People Inc. may bifurcate a lease in order to evict, remove, or terminate the assistance of the offender while allowing the victim, who is a tenant or lawful occupant, to remain in the unit or be moved to another “safe & available” unit if they fear for their life and safety.

8. Opening and Closing of Waiting Lists

At People Inc.’s discretion, the waiting list can be closed when the average wait is excessive of one year or more.

- a. Potential applicants will be advised that the waiting list is closed and refuse to take additional applications.
- b. A notice that the waitlist is closed and the reason will be announced per the Affirmative Fair Housing Marketing Plan which states it will be in a publication likely to be read by potential applicants.
- c. When the waiting list is reopened, a notice of this action will be announced in the same publication and in the same manner as the notification was closed.
- d. Advertisements will include where and when to apply and will conform to the Affirmative Fair Housing Marketing Plan.

9. Eligibility of Students

Student Eligibility will be determined for assistance at move in, annual recertification and at the time of an interim if one of the changes reported is that a household member is enrolled as a student, at an institution of higher education. The student must meet all of the following criteria to be eligible:

- a. Be of legal contact age under state law;
- b. Have established a household separate from parents or legal guardian for at least one year prior to application for occupancy, or
- c. Meet the U.S. Department of Education’s definition of an independent student.
- d. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
- e. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. The certification is required even if to assistance will be provided.

10. Applicant Notification and Opportunity to Update Information Provided

- When a “Notice-of-Intent” is received and a unit will become available:
 - a. The next eligible applicant from the waiting list will be contacted by telephone and if no verbal contact is made; an “Unable to Contact” letter will be sent giving the applicant five (5) days from the date of the letter to respond and state their interest.

- b. Update letters may be sent at least two (2) x's per year requesting the applicant provide any updated information if applicable and/or request to be removed from the waiting list if they choose.
- Applicants will have the opportunity to request accessible units (mobility; hearing; or vision), as well as any reasonable accommodations and will be called for an available unit in order of their request date.
- Applicants will be removed from the waiting list
 - a. Per the applicant's request, or
 - b. If we are unable to contact the applicant due to their phone number being disconnected or is incorrect, or
 - c. Mail is returned due to no "forwarding" mailing information and returned as "undeliverable", or
 - d. If there is no response to letters or phone contacts within the timeframe requested.
- Applicants who are scheduled for an initial interview or move in appointment and fail to show without calling or reschedule without good cause and/or provide a verification of a medical excuse will be removed from all People Inc. Senior Living waiting lists as follows:
 - a. Initial Interview: Reapplying will not be permitted for a minimum of 3 months from the date of removal.
 - b. Move in appointment: Reapplying will not be permitted for a minimum of 6 months from the date of removal.

If an applicant is unable to move due to a medical reason, the applicant will be offered a medical first refusal. The applicant must provide documentation within 7 days. Once the documentation is received, they would remain on the waitlist but not called for a minimum of 90 days. If the applicant fails to provide documentation they will be removed from the waiting list.

11. Smoking

People Inc. promotes and enforces smoke free living and therefore, no smoking is permitted anywhere in the building, including tenant apartments or anywhere outside on the site property at Holly, Walnut and Orchard Apartments.

All other Senior Living Apartments have a designated smoking area which allows smoking no less than 25 feet from the building or in the tenant's car. The site manager will inform the tenant at move in where the designated smoking areas are located.

12. Miscellaneous Provision for Tenants:

- a. Applicants/tenants must always conduct themselves in a manner which does not threaten the health and safety of themselves and/or other tenants, staff or the facility.
- b. Tenants must be able to live according to and abide by the terms and provisions of the lease agreement and tenant handbook.
- c. A list of charges for replacement and cleaning fees will be given to each tenant at move in and upon receipt of a notice of intent to vacate.
- d. **Security deposits** will be maintained in separate sub-accounts accruing interest and will be reimbursed after move-out minus any reasonable costs to restore the unit to its original condition, unpaid rent and/or unpaid financial obligations.
- e. Unit inspections will be conducted annually and as needed if the site manager deems it necessary to keep the unit in safe, sanitary, and decent condition.

- f. Annual recertification's will be conducted with proper notice of no less than 120 days prior to the 1st of the anniversary month the tenant moved into the site.
- g. If there is an increase in the tenant's income of more than \$200 a month the tenant may be subject to an interim adjustment of their rent.
- h. Any modification of the lease will be made after management has received prior approval from the Dept. of HUD. Tenant Rules, and/or Pet Rules will be made effective after a 60-day notice is provided to the tenant, allowing for 30 days to review and return the signed amendment or to sign a 30-day notice to vacate if the new rule is not agreeable to the tenant.
- i. Who have financial obligations to People Inc. will be rejected. They may be able to reapply and may be accepted to the waitlist after payment is made in full.

Modifications of this Tenant Selection Plan

This tenant selection plan will be reviewed at least annually to ensure that we are in compliance with all current operating practices, program priorities, and HUD requirements.

Applicants:

- a. Will be notified of any modification or change to the tenant selection plan and its effective date which may affect their application or tenancy with a letter that offers them to get a copy upon their request.
- b. The letter to the applicant will state that they will remain on the waiting list unless they choose to be removed by calling the phone number to the office provided in the letter.

Filing:

- A copy of all correspondence to the applicants regarding any changes or revisions on this Tenant Selection Plan will be filed in the site's Management Information Binder.

Availability of the Tenant Selection Plan, when requested, this Tenant Selection Plan will be made available to the public.

1/29/20