



TENANT SELECTION PLAN
Academy Place Apartments

People Inc., the management agent provides equal access to housing programs without regard to race, color, religion, disability, sex, familial status, or national origin, as per the Fair Housing Act. 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.

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

Section 1: Project – Eligibility Requirements:

Project consists of twenty-eight (28) one-bedroom units and four (4) two-bedroom units.

- All units are affordable with the following requirements:
 - Eight (8) units will be occupied by individuals with income less than or equal to 30% of area median gross income (Extremely Low income limit).
 - Twenty-four (24) units will be occupied by individuals with income less than or equal to 50% of area median gross income (Very low income limit).
- Five (5) of the units will be available for households where at least one member is 62 years of age or older, income eligible, *and who*:
 - Is diagnosed as a “Frail Elderly” household, *and*
 - Have services coordinated by the sponsor, Healthy Community Alliance, Inc.
 - Two (2) units are specifically designed to be accessible as well as being designed for the visually or hearing impaired.

Preferences:

- Currently on a public housing waiting list or other existing waiting list for subsidized housing; *and/or*
- Current housing fails to meet basic standards of health and safety and who have little prospect of improving the conditions of their housing except in a project receiving LIHTC.

Low-income Housing Tax Credit (LIHTC):

The head of household must be 62 years of age or older *and*:

- Meets the minimum income limits and not exceed the maximum income limit.
- Demonstrate ability to afford and pay the basic rent if no subsidy from Rental Assistance or the HUD program is available to them.
- If not LIHTC eligible, can be placed on the HUD waiting list if eligible.

Section 202 – Units funded by the Department of Housing & Urban Development (HUD):

The head of household must be 62 years of age or older *and*:

- Must not exceed the very low income eligibility limits based on number of persons.

Section 2: Citizenship Requirement:

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

Section 3: 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, and
- Those individuals who do not contend eligible immigration status.

Applicants will have 90 days to provide documentation of social security number at the time the applicant is offered a unit. 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 SSN disclosure, documentation and/or verification requirement in a specified timeframe, will be terminated due to non-compliance with the lease/program.

Section 4: Income Limit Requirements:

The household must meet the annual income guidelines for the number of people in the household. The amounts used will be from the county in which the facility is located as set forth by the Department of Housing and Urban Development. Income limits are updated annually.

Section 5: 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. Incomplete applications will be returned to the sender with a request letter to complete where applicable. The letter will include a list of items necessary to complete the application.
- A copy of the application and request for additional information will be tracked.
- 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, income, and preferences that are provided on application are reviewed to determine pre-eligibility. Verifications are not required until an initial interview is scheduled for possible residency.
- Applicants will not be placed on the waiting list until the application is complete.
- Applicants will be notified in writing of waiting list acceptance or rejection.

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 in person initial interview will be scheduled, all

information will need to be updated, and applicable verifications will be obtained prior to the management offering an apartment based on site specific requirements/preferences.

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.
- The waiting list will be updated on a semi-annual basis to ensure that all applicants are given the opportunity to update/supplement information already given and that any applicants that should no longer be deemed "eligible" can be notified and removed from the list.
- Applications will be removed:
 - a. Per the applicants request
 - b. If we are unable to contact the applicant due to phone number changes/disconnects; or
 - c. If mail/letters are returned due to "unable to forward" mailing information, or
 - d. If there is no response to letters or phone message contacts within the timeframe requested.

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

EIV (Enterprise Income Verification): An "Existing Tenant Search" report will be processed for all HUD 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 HUD tenants will be subject to EIV reports required by 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.

Background Screen: will be processed for criminal and State Lifetime Sex Offender using the National Sex Offender website for all applicants, tenants and live-in aides for every state noted on the application prior to move in and for every annual recertification.

d. Applicants with a Criminal History:

An applicant who claims any type of conviction may be eligible for housing after a review of the criminal conviction using the Worksheet for Applying New York State's Anti-Discrimination Policies When Assessing Justice-Involved Applicants for State-Funded Housing.

TWO mandatory reasons for rejection are:

1. Conviction for methamphetamine production in the home, and/or
2. Being a lifetime registrant on a state or federal Sex Offender database.

For all other convictions the applicant will be provided with an opportunity to answer specific questions such as:

1. How much time has passed since the conviction(s)
2. How old were you at the time of conviction(s)
3. How serious was the conviction(s)
4. Evidence about your rehabilitation, including treatment programs, volunteer work, and paid employment since your conviction(s)
5. Were there mitigating circumstances surrounding the offense that reduced the severity of the offense.

Once all of the information is provided a decision will be made.

e. Criminal Screening Discoveries

If the criminal background investigation results indicate that the applicant after they have provided information during a 14 business day period, does not meet the criminal screening criteria, People Inc. will reject the application in accordance with HCR justice involvement policy, the applicant will have 14 business days to file an appeal. Before rejecting the household, the management agent will compare the information provided by the applicant with the criminal history report. If the information conflicts, the management agent Inc. will:

1. Notify the household of the proposed action based on the information obtained.
2. Inform the applicant how to obtain a copy of the report.
3. 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.
4. Allow the household the opportunity to remove the household member.

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 had 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 at the initial interview and it is discovered that the applicant does have a conviction or was incarcerated will not be considered for admission.

Credit history is not considered in tenant selection

<h3>Section 6: Procedures for Rejecting Ineligible Applicants</h3>
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If an applicant is deemed ineligible:

- a. A letter will be sent within 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 their rights for reconsideration and 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 Management Agent'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 not less than 20 years. The file must contain all interview and verified information on which the determination is based.
- d. At Initial Interview, a complete criminal check will be conducted along with an individual assessment for those who were convicted of a crime. Once completed, a decision will be made to accept or reject. If rejected, the applicant has 14 business days to appeal. A "Know your Rights" brochure will be sent out with the original application and rejection letter:
 - A letter will be sent within 5 business days of receipt of the application including "The Know Your Right" information that clearly states the reason the rejected determination has been made after an individual assessment has been completed. If the Management Agent is unable to complete the assessment the applicant will be sent a letter letting them know they have fourteen (14) business days to provide additional information in order for the Management Agent to complete the assessment. A "Know your Rights" brochure will be given with this request for additional information. Upon receipt of additional information to allow for completion of the assessment and if at this time a second rejection occurs, the applicant will be advised of the reason for the rejection and advised of their rights for reconsideration and appeal. The letter will include Violence Against Women's Act, Occupancy Rights and Know Your Rights information. The applicant will have fourteen (14) business days from the date of the letter to respond in writing or to request a meeting to discuss the rejection. Any meeting with the applicant to discuss the applicant's rejection will be conducted by another member of the staff who was not involved in the initial decision to deny admission. An additional "Know your Rights" brochure will be given at this meeting. The final decision on eligibility

will be sent via written notice within five (5) business days of having the meeting along with a “Know your Rights” brochure.

- e. 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 or criminal activity that results in rejection.
 - Documented misrepresentation of items on the previous application.

Section 7: Occupancy Standards

- a. The Management Agent has established standards on occupancy to permit the tenant to select the unit size they deem appropriate to their needs (if available) while preventing overcrowding and underutilization of the unit. The following describes the occupancy requirements:
- One bedroom: Minimum one; Maximum two
 - Two bedrooms: Minimum two; Maximum four
- b. Members of a household may continue to reside in a housing project after the death of the tenant or co-tenant provided:
For HUD Surviving Members:
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.
For LIHTC Surviving Members:
If the surviving member(s) of a household still remain eligible of a unit and is listed as a household member on the Tenant Certification form (TIC) and lease, and is of legal age can remain in the unit.
- c. After move in, if a unit becomes underutilized or over-crowded due to changes in family composition, the family will be required to transfer to an appropriate sized unit (if applicable) with a bedroom(s) size suitable for the number of family members when a unit becomes available.

Section 8: Unit Transfers

- a. A request form must be completed and verification for the need to transfer will be approved from non-accessible to accessible units (or due to a reasonable accommodation) with a qualified third party provider statement verifying the tenant’s need for the accessible unit (or transfer) if disability not readily apparent.
- b. Verification if needed, must show the transfer is necessary due to a disability.
- c. Current tenants will receive preference for accessible units over any applicant on the waiting list once verification if needed is received from qualified third party provider.
- d. 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 were not deemed “eligible for that 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 that has a need for the accessible unit, and
 - A non-accessible unit becomes available for them.

- e. Moving costs will be paid for by the management company.

Section 9: Section 504, the Fair Housing Act and NYS Human Right Law

Identifying applicants needs for accessible units or reasonable accommodations.

- a. Management agent will comply with Section 504 of the Rehabilitation Act of 1973 and NYS Human Rights Law which prohibits discrimination on the basis of disability in any program or activity.
- 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.
- c. Requests for Reasonable Accommodations must be made in writing and will be reviewed on case-by-case basis.
- d. Per the Section 504 grievance policy and procedure; upon written receipt of any grievance from any applicant or tenant involving a disability issue, the grievance will be submitted to the staff person's immediate supervisor for review.

Section 10: Opening and Closing of Waiting Lists

At the management agent'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 waiting list 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.

Section 11: Eligibility of Students

Households consisting entirely of full-time students are not eligible unless:

- a. The household is income eligible for the housing project/program, and
- b. All members of the household are married (not necessarily to each other), or
- c. The household consists of a single parent & their child with no one being dependent of a third party, or
- d. At least one member of the household receives assistance under Title IV of the Social Security Act, or
- e. At least one member is participating in an officially sanctioned job training program, or
- f. At least one member was formerly in foster care, and
- g. This rule applies throughout occupancy for the qualified Tax credit program.

Section 12: Violence Against Women's Act Protection (VAWA)

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

- Tenants, and their immediate family members, who are applying for 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.
- Management Agent 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 and available" unit if they fear for their life and safety.

Section 13: Application Notification and Opportunity to Update

- 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 applicants 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 the waitlist as follows:
 - a. **Initial Interviews:** 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.

Section 14: Miscellaneous provisions of this Tenant Selection Plan:

- 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 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 HUD or HCR, 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. For HUD applicant's only, the management agent will use the Enterprise Income Verification (EIV) System, specifically the Existing Tenant Search to verify existing subsidies.
- j. Tenants submitting an application from a People Inc. housing program:
 - Will be considered and treated as a new applicant, and
 - Must be a tenant in good standing with no 10 day or 30 day Notice to Quit in the last 12 months and/or financial obligation pending.

Section 15: Charges for Services

A schedule list of charges will be distributed to each tenant at their move in signing day and upon receipt of a notice of intent to vacate.

Section 16: Unit Inspections

Inspections will be conducted prior to move in lease signing; annually at recertification time, and as needed per management in order to ensure the unit is maintained in a safe, sanitary, and decent condition at all times.

Section 17: Smoking

The management agent promotes and enforces "SMOKE-FREE" living and therefore, NO SMOKING is permitted anywhere on the premises, including the tenants apartment except for in designated areas posted 25 feet outside on the site property.

Section 18: Record Storage and Disposal

Application and all applicable forms will be retained for a minimum of 20 years from date of rejection/applicant withdrawal/ or move out.

Section 19: Modifications to Lease and or Tenant Handbook

When approval (if needed) is granted to make changes, a 60-day notice to the tenant will be given and effective after an addendum is signed and agreed upon by the tenant. Unsigned addendums will require a 30-day notice to vacate.

Section 20: Availability of the Tenant Selection Plan

When requested, the Tenant Selection Plan will be made available to the public.

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