



FAIRVILLE MANAGEMENT COMPANY, LLC Resident Screening & Selection Policy



The objective of the Resident Selection process is to select residents who:

- Pay their rent in a timely manner.
- Are willing and able to conform to the rules and regulations of the development.
- Live drug-free and non-violently.
- Enjoy living at the development.

Fairville Management Company, LLC passionately believes that consistency of approach in the resident selection process is essential. Fairville Management Company, LLC will not discriminate based on race, color, religion, creed, national origin, sex, age handicap, familial status, or marital status.

To qualify for occupancy, the applicant must first complete the application, along with authorization for Release of Information. Applicant must also submit required documentation on all household members such as Social Security Cards, proof of US citizenship and/or eligible immigration status, and proof of all household income and assets.

All potential occupants of the unit must submit to the following screening criteria. Requested documents must be received within 14 days of the request or the application will be denied.

A. Enterprise Income Verification System (EIV)

To ensure the right assistance is provided to the right people, The Department of Housing and Urban Development (HUD) has provided property managers with access to a new verification database called the Enterprise Income Verification System (EIV).

EIV provides information about project-based and tenant-based HUD assistance recipients. This database is also used to verify certain types of reported income with records maintained in the Social Security Administration databases and the Department of Health and Human Service (HHS) National Database of New Hires. HHS provides information about current and past employment and unemployment insurance information.

During the application process, the Enterprise Income Verification System (EIV) will be used to screen applicants through the Existing Tenant Search. This report shows whether an applicant is receiving housing subsidies in any PIH or Multifamily Housing Program.

At each annual certification, all adult household members will be giving consent to the release of this information by signing HUD Forms 9887 and 9887A. During your annual certification or if management has reason to believe that a resident has unreported income, the EIV system will be accessed to retrieve each adult household member's information.

If HUD indicates that there is a discrepancy discovered by the EIV database, we will contact you so that we continue to assure that you are receiving all assistance for which you are eligible.

B. Basic Screening

Occupancy Limits:

Minimum of one person per bedroom

Maximum of two persons per bedroom

Income:

The family's annual income must not exceed Section 8 program income limits based on the type of subsidy and family size as published annually by HUD. Current published Section 8 program income limits will be used at the time of processing pre-applications and applications.

	Type of Income Limit
Subsidy	
Section 8 (pre-1981)	Low, very low, and extremely low-income limit
Section 8 (post-1981)	Very low and extremely low-income limit

Income Limits

All these income limits are based on the median income for a metropolitan statistical area (MSA). This table shows the four income limits as a percentage of median income in an MSA.

Income Limit	Median Income for the Area
Low-income limit	80% of the median income
Very low-income limit	50% of the median income
Extremely low-income limit	30% of the median income

- a. All income for all household members except for Live-In Aides, Foster Children, Foster Adults, and Guests, will be verified at the time of processing your application for a unit. It is not mandatory to have the income to qualify. However, a household must be able to sustain utilities where applicable.
- b. Only very low-income families will be considered, HUD must approve exceptions
 - (1) Income limits meet Metropolitan Statistical Area Income Limits as published.
 - (2) Income limits are published annually and are available from the local HUD office or online at www.huduser.org.
 - (3) Income limits are based on family size and the annual income the family receives.
 - (4) 40% of the vacant units per fiscal year will be rented to persons at or below

30% of the area median income, if possible.

Employment/Income History:

All employment income will be verified using third-party verifications and through the EIV system. Applicant must show the ability to maintain all expenses associated with living in the unit. The prior-year tax return will be required.

Rental History:

Two years of residency history will be evaluated. The applicant must have a favorable landlord reference. All prior landlord judgments must be satisfied.

Credit History:

Credit reports must show applicants are paying their creditors in a timely manner. Bankruptcy must be over 5 years. All landlord or Civil Judgments must be satisfied. Medical Accounts will be reviewed by Fairville Management Company, LLC. Student loan accounts will be reviewed by Fairville Management Company, LLC.

Criminal History:

1. Criminal Background checks will be done on all applicants 18 years of age or over.
2. Applicants must have a clear criminal record for the past 10 years on any felony convictions, arrests, or convictions for controlled substances and convictions related to physical crime, violent acts against a person, or property of any kind.
3. Convictions for any drug-related activity in the last 10 years.
4. Anyone listed in the sex offender's registry or lifetime registrant will be denied.
5. Admission will be denied if Management has reasonable cause to suspect that any household member's behavior from the abuse of alcohol or drugs will interfere with the health, safety, and right to peaceful enjoyment.

Personal References:

2 personal references from a person other than the family will be required.

C. Waiting List

The following waiting lists will be maintained for each bedroom size electronically. The waiting list will remain open unless the wait time exceeds 1 year and 6 months. At that time, the contract administrator will be contacted for approval to close the waiting list for that bedroom size. Notification of closing will be sent to all agencies on the advertising list. The waiting list will continue to be monitored and publication of re-opening the waiting list will be sent to all agencies on the advertising list. The waiting list will be reopened when the wait time decreases to 9 months.

1. Applications for program-required internal transfers.
2. Applications meeting income eligibility requirements.

The order of placement on these waiting lists shall be:

- A. For internal transfers, by date letter received by the office, which required the transfer. Placement shall be chronological.
- B. Applicant's placement shall be chronological by date of application.
 - (1) Mobility impaired applicants are given priority only for those units that are specifically designed to accommodate wheelchairs.

Waiting lists will be updated semi-annually by filling out a Waiting List Update form in the office. Applicants are informed at the time they fill out an application that it is their responsibility to update every January and July of each year. It is also included with each application. Those who do not update will be removed from the list without further notice, and their applications will be stored for three (3) years.

Persons who refuse an offer of an appropriately sized unit will be removed from the waiting list for that size unit. Exceptions will be offered to this position displacement when it involves reasonable accommodations and a change in family size.

If the household composition changes, the manager must update the waiting list information and decide whether the household needs the same or different unit size. When the household composition increases to more than two persons per bedroom, the applicant will be moved to the next bedroom size. If the property doesn't have a larger bedroom size, the family must be notified that they are not eligible for the property and will be removed from further consideration on the waiting list. In the event the applicant must be moved to another bedroom size, they will retain the original application date and time.

Selection of New Residents

Residents shall be selected to fill vacancies in order from the appropriate unit size waiting list as follows:

First, all those awaiting internal transfers to a different size unit with proper documentation certifying the reasonable accommodation and reason for transfer.

Second, 40% of the vacant units per fiscal year will be rented to persons at or below 30% of the area median income, if possible.

Third, all those meeting income eligibility requirements, using the HUD published income limits published annually.

Emergency HUD Preference

In response to a presidentially declared disaster, HUD may request that Fairville Management Company implement a temporary preference for victims. Fairville Management Company may implement a temporary emergency preference based on requests from the Department of Housing.

If such a preference is implemented, applicants who qualify for the preference will receive priority over other applicants/residents, except when a resident requested a unit transfer because

1. The resident requires the accessibility features of a different unit; or
2. The current unit is too large or too small for the family; or
3. There is a verified medical need for a unit transfer.

When an applicant qualifies for a preference because of a presidentially declared disaster, applicants will be required to meet all property screening criteria.

D. Application Processing

All applicants will be notified by phone and mail that their name has come up on the waiting list and that it will be necessary to make an appointment to process. They will be given a list of items to bring to the appointment that will be needed to complete their application. Once the application is completed, Authorization of Release, Disposition of Assets, and all other verification forms are signed
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by management and applicant and third-party verification of income, assets, landlord references, credit/criminal check, etc. are processed. The EIV system will be accessed to verify if the applicant is receiving housing subsidies in any PIH or Multifamily Housing Program. It is also at this time that we will require copies of a social security card, driver's license or other forms of valid ID, birth certificates for all children, and any other documentation needed to verify household composition or income.

Other than those forms that can be faxed, all verification forms are mailed directly to the third party and returned directly to the rental office. This process usually takes 10 to 14 days. Once all information is received by the rental office, the application is reviewed by the Resident Manager and her/his findings for approval or denial are noted. The file is then reviewed by the Property Manager with her/his recommendation noted. No applicant can be given final approval without a completed file review where the income verifications and calculations have been approved by the compliance officer.

E. Appeal Process

As stated in the rejection letter, the applicant has 14 days in which to appeal their rejection. An appeals meeting will be held by Fairville Management Company, LLC. Fairville Management Company, LLC will review all documentation and notify the applicant by mail within 5 days with the appeal results of the appeal meeting.

All appeals must be submitted to Fairville Management Company, LLC in writing within 14 days of receipt of their denial. The applicant will be given the opportunity to present documentation to have the rejection reversed. All meetings will be conducted in person by the Fairville Management Company, LLC. All meeting findings are final.

Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

F. Unit Occupancy

The unit being applied for must be the only place of residency. Only those persons approved in the application process may occupy the unit.

G. Rent Collection Policy

Rents are due and payable on the 1st day of the month. Rents not paid in full at the close of business on the 5th day are considered late. A 5-day demand notice is to be sent via the certificate of mailing firm book. This notice gives the resident 5 days to pay the full amount due plus late charges or court action will be taken. Failure of the resident to pay all monies owed by the demand date will result in court action being taken. As stated in Section 4 of the Resident Lease, if the resident does not pay the full amount of the rent by the end of the 5th day of the month, a five (5%) late fee will be assessed on the tenant's rent portion.

H. Eviction Procedures

Eviction will be executed in accordance with the lease agreement, state, local and federal laws, LIHTC and HUD guidelines, and as mandated by the State's Landlord-Tenant Code. Eviction procedures for non-payment of Rent will be filed on all residents who do not respond to the 5-day late notice. Eviction procedures for other lease violations will be filed if the resident, after proper legal notice, fails to correct said violation.

I. Transfers

Transfer requests will be processed in order of priority. These priorities are reasonable accommodations, medical, changes in family composition, and lastly personal preference. Transfer approvals for the tax credit units are based on household eligibility within the restriction of the LIHTC and HUD program guidelines. Residents requesting a unit transfer must do so in writing. All requests will be submitted to the Property Manager for approval. Only those residents who pay their rent in a timely manner, maintain their unit, and comply with the Lease and Resident Handbook will be considered for a transfer.

J. Reasonable Accommodation Policy

Fairville Management Company, LLC is an equal opportunity housing provider. It is our policy to make reasonable accommodations so our residents and/or applicants may use and enjoy the apartment community. Applicant/Resident is encouraged to request and complete the necessary Reasonable Accommodation Forms so that their request may be processed.

K. Eligibility of Students for Assistance

1. Owners must determine a student's eligibility for Section 8 assistance at move-in, annual recertification, initial certification, and at the time of interim recertification if one of the family composition changes reported is that a household member is enrolled as a student.
2. Section 8 assistance shall not be provided to any individual who:
 - a. Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to be a recognized educational credential;
 - b. Is under the age of 24.
 - c. Is not married.
 - d. Is not a veteran of the United States Military;
 - e. Does not have a dependent child;
 - f. Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving section 8 assistance as of November 30, 2005)
 - g. Is not living with his or her parents who are receiving Section 8 assistance: and
 - h. Is not individually eligible to receive Section 8 assistance and has parents (the parents individually or jointly) who are not income-eligible to receive Section 8 assistance.
 1. Is classified as Vulnerable Youth; a student meets HUD's definition of a vulnerable youth when: (1)The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 year of age or older; (2)The individual is or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's state of legal residence; (3)The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness and self-supporting, by
 - A. A local educational agency homeless liaison, designated pursuant to the

- McKinney-Vento Homeless Assistance Act.
- B. The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director.
 - C. The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
 - D. A financial aid administrator; or
- i. The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances or
 - ii. Has parents who are income-eligible for the Section 8 program.

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 that is more than amounts received from tuition and other fees is included in the 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.

Financial assistance that is provided by persons not living in the unit is not part of the annual income if the student meets the Department of Education's definition of "vulnerable youth".

- 3. For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate the absence of, or his or her independence from, parents. While owners may use additional criteria for determining the student's independence from parents, owners must use, and the student must meet, at a minimum all the following criteria to be eligible for Section 8 assistance. The student must:
 - a. Be of legal contract age under state law.
 - b. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy or meet the U.S. Department of Education's definition of an independent student.
 - c. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulation; and
 - d. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.
- 4. 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 that is more than amounts received for tuition, is included in the 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.
- 5. If an ineligible student is a member of an applicant household or an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated in accordance with the guidance in paragraphs 8-6 A of the HUD Handbook 4350.3: Occupancy Requirements of subsidized Multifamily Housing Programs.

VAWA Protections

The Violence Against Women Act (VAWA) provides protections to women or men who are the victims of domestic violence, dating violence, sexual assault, and/or stalking. The owner/agent

understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault, and/or stalking, victims of violence have certain rights under the Violence Against Women Reauthorization Act of 2013.

This policy is intended to support or assist victims of domestic violence, dating violence, sexual assault, and/or stalking (hereafter referred to as VAWA crimes) and protect persons seeking to exercise VAWA protections, as well as affiliated individuals (as defined by HUD), from being denied housing or from losing their housing/HUD-assisted housing as a consequence of their status as a victim of VAWA crimes.

Only residents who are assisted by a covered housing program can invoke the VAWA protections that apply solely to residents. The term "resident" refers to an assisted family and the members of the household on their lease but does not include guests or unreported members of a household.

In addition, a live-in aide or caregiver is not a resident, unless otherwise provided by program regulations, and cannot invoke VAWA protections.

VAWA ensures that people seeking to exercise VAWA protections are not denied housing and housing assistance is not terminated solely because the person is a victim of an offense covered under the VAWA) domestic violence, dating violence, stalking, and/or sexual assault).

However, being a victim of a VAWA crime is not a reason to change the eligibility or applicant screening requirements set forth in the tenant selection plan unless such requirements interfere with protections provided under the VAWA.

Being a person seeking to exercise VAWA protections of an offense covered under the VAWA is no reason to waive requirements set forth in the HUD Model Lease or in any lease attachment or HUD-approved lease addendum unless such requirements interfere with protections provided under the VAWA.

The owner/agent will not assume that any act is a result of abuse covered under the Violence Against Women Act. To receive the protections outlined in the VAWA, the applicant/resident must specify that he/she wishes to exercise these protections.

If any applicant or resident wishes to exercise their VAWA protections, he/she should contact the owner/agent or property management staff immediately. The owner/agent is committed to ensuring that the Privacy Act is enforced in this and all other situations.

Confidentiality

The identity of the person seeking to exercise VAWA protections, and all information provided to the owner/agent relating to the incident(s) of abuse covered under the VAWA will be retained in confidence. Information will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is

- Requested or consented to by the person seeking to exercise VAWA protections in writing.
- Required for use in an eviction proceeding or termination of assistance.
or
- Otherwise required by applicable law.

The owner/agent will retain all documentation relating to an individual's domestic violence, dating violence, sexual assault and/or stalking in a separate file that is kept in a separate secure location from other applicant or resident files.

Requests & Certification

When the owner/agent responds to a request for protections provided under the VAWA the owner/agent will request that an individual complete, sign, and submit a certification form. This certification may be submitted in an equally effective manner, as a reasonable accommodation, if there is the presence of a disability.

The owner/agent understands that the delivery of the certification form to the applicant/resident via mail may place the person seeking the exercise of VAWA protections at risk, (e.g., the abuser may monitor the mail). The owner/agent will collaborate with the applicant/resident in making acceptable delivery arrangements, such as inviting them into the office to pick up the certification form or making other discreet arrangements.

If the applicant/resident has sought assistance in addressing VAWA crimes from the federal, state, tribal, territorial authority, local police, or court, the applicant/resident may submit written proof of this outreach in lieu of the certification form. The owner/agent may accept the following:

- A federal, state, tribal, territorial, or local police record or court record or
 - Documentation signed and attested to by a professional (employee, agent or volunteer of a person seeking to exercise VAWA protections service provider, an attorney, medical personnel, etc.) From whom the a person seeking to exercise VAWA protections has sought assistance in addressing domestic violence, dating violence, and/or stalking or the effects of the abuse.
The signatory attests under penalty of lying under oath (28 U.S.C. §1746) to his/her belief that the incident in question represents bona fide abuse, and the person seeking to exercise VAWA protections against such crimes has signed or attested to the documentation.
- If the applicant is currently living in a shelter established to protect the person seeking to exercise VAWA protections of violence covered under the VAWA, the owner/agent will accept verification of such living arrangements in lieu of the certification or other forms as noted above.

The person seeking to exercise VAWA protections must provide such documentation within fourteen (14) business days of the request. The owner/agent may consider extending the deadline if requested and if specific circumstances prevent the person seeking to exercise VAWA protections from submitting the form within fourteen (14) business days.

The person seeking to exercise VAWA protections is not required to name his/her abuser if doing so would result in an imminent threat or if the person seeking to exercise VAWA protections does not know the name of his/her abuser.

To ensure that a person is not wrongly accused of committing an offense covered under the VAWA, the owner/agent will carefully evaluate abuse claims to avoid denial, termination of assistance, termination of tenancy, or eviction based on false or unsubstantiated accusations.

Criminal Background Check

Domestic violence can often have negative criminal consequences for a victim of VAWA crimes. The perpetrator may cause damage to the victim's property causing eviction. The perpetrator may force a victim to participate in criminal activity, or a victim may be arrested and/or listed on a police report as part of policies that require arresting both parties in a domestic disturbance. Management will take such extenuating circumstances into account and will not deny tenancy or occupancy rights based solely on these adverse factors that are a direct result of being a victim of VAWA crimes.

Credit Checks

Domestic violence can often have negative economic consequences for a victim of VAWA crimes. The perpetrator may take out credit cards in a victim's name and ruin their credit history or cause damage to a victim's property causing eviction. Management will take such extenuating circumstances into account and will not deny tenancy or occupancy rights based solely on these adverse factors that are a direct result of being a victim of VAWA crimes.

Rental History

Domestic violence can often have negative consequences for a victim of VAWA crimes. The perpetrator may cause damage to a victim's property causing eviction and/or poor rental history. The perpetrator may force a victim to participate in criminal activity or a victim may be arrested as part of policies that require arresting both parties in a domestic disturbance. Management will take such extenuating circumstances into account and will not deny tenancy or occupancy rights based solely on these adverse factors that are a direct result of being a victim of VAWA crimes.

The owner/agent will review and respond to requests to exercise protections provided under the VAWA within ten (10) days of receiving all required documentation. The owner/agent may provide the response in any manner acceptable to the person seeking to exercise VAWA protections and the owner/agent's Responses include:

- Approval of the Request
- Denial of the Request
- Request for additional information

If the request is denied, the person seeking to exercise VAWA protections may appeal the decision. The appeal meeting will be conducted by someone who was not involved in the original decision to deny.

Lease Bifurcation

If the owner/agent determines that physical abuse caused by a resident is clear and present, the law provides the owner/agent with the authority to bifurcate a lease (i.e., remove, evict, or terminate housing assistance to any abuser, while allowing the person seeking to exercise VAWA protections, who lawfully occupies the home, to maintain the tenancy.)

The owner/agent may attempt to evict the abuser, but residents should know that state/local tenant/landlord laws prevail, and the owner/agent must comply with such laws. The owner/agent cannot guarantee that a court will award or enforce an eviction.

The owner/agent must keep in mind that the eviction of or the termination action against the individual must be in accordance with the procedures prescribed by federal, state, and local law. The owner/agent is committed to attempting to assist the person seeking to exercise VAWA protections, however, evictions are conducted through the court system and the owner/agent cannot override or circumvent a legal decision.

In the event that one household member is removed from the unit because of engaging in acts of domestic violence, dating violence, sexual assault, and/or stalking against another household member, an appropriate certification will be processed reflecting the change in household composition. Special consideration will be given if the remaining household members are not qualified to remain in the unit as “remaining household members”.

If a lease is bifurcated or if a resident is evicted from the property because of an offense covered under the Violence Against Women Act, the person will be permanently barred from the property.

Inviting a person evicted because of an offense covered under the Violence Against Women Act or encouraging such a person to remain on the property is a lease violation. The resident agrees to notify the owner/agent and/or the local authorities if such a person enters the property.

Emergency Transfer

The owner/agent will consider a “VET” VAWA Emergency Transfer Request when a person seeking to exercise VAWA protections feels that he/she is:

- In imminent danger
- Was sexually assaulted on the property within 90 days of the request

The owner/agent will accept the Emergency Transfer Request directly from the person seeking to exercise VAWA protections or from an advocate working on behalf of the person seeking to exercise VAWA protections.

Lease Addendum

VAWA lease addendum will be implemented and provided in accordance with current and future HUD guidance specific to this HUD housing program.

