

OHAV SHOLOM HOUSING TENANT SELECTION PLAN

PROCESSING APPLICATIONS

Applications are accepted in person or by mail at Ohav Sholom Housing, 115 New Krumkill Road, Albany, New York 12208. Requests for applications may be made by calling (518) 489-5531 or by stopping by our business office. Applications may also be obtained on-line at www.ohavsholomaps.org. Interviews and apartment viewings are conducted by appointment only. If you require assistance in reading, understanding or completion of the application, please call the telephone number above to request a reasonable accommodation. All applications will be date and time stamped when received by management and placed on the waiting list in chronological order if an appropriate unit is not available at the time.

OCCUPANCY REQUIREMENTS

- Occupancy is limited to households whose head or spouse is at least 62 years of age or nonelderly disabled persons with permanent mobility impairments.
- Applicants must be U.S. citizen or eligible noncitizen as determined by HUD guidelines.
- Applicant's family composition must be appropriate for the unit size as defined by our occupancy standards.
- Applicants must be screened and meet the requirements of the tenant selection criteria
- Applicants must demonstrate the ability to pay rent on time and to meet the requirements of tenancy

OCCUPANCY STANDARDS

Number of Habitable Sleeping Rooms	Occupancy Density Range
0 Bedroom	1
1 Bedroom	1-2

INCOME LIMITS

Income limits are determined by the Department of Housing and Urban Development and are updated on an annual basis. The gross annual household income must fall below the income limits determined by HUD that are in effect at the time of application.

- Extremely Low Income - 30% of the area median income
- Very Low Income - 50% of the area median income
- Low Income - 80% of the area median income

Applicants are encouraged to contact our office to inquire about current income limits.

INCOME TARGETING

Income Targeting requirements stipulate that 40% of the Section 8 units that become available each fiscal year must be rented to Extremely Low Income (ELI) households earning 30% or less of the area median income. Accordingly, applicants of Very Low Income (VLI)

and applicants of Low Income (LI) may be “skipped over” chronologically in favor of admission of applicants of Extremely Low Income. If after having marketed to extremely low income families, we are unable to fill all of the units with families meeting the ELI requirement, we are permitted to rent to other eligible families after a reasonable marketing period has expired. If we are unable to meet the ELI target we must maintain records that demonstrate, to the satisfaction of HUD, that all reasonable steps were taken to fill these units with “extremely low-income” tenants.

WAITING LIST MANAGEMENT

Our Waiting List remains open at all times and is never closed to new applicants. All applications will be placed on the Waiting List in chronological order based on the date and time the application is received by management. With the exception of the required income targeting applicants will be admitted in the order that they are received. The Waiting List will record the applicant’s name, along with, the date and time the application was received, a notation of the applicant’s income level and the need for an accessible unit if necessary. When a vacancy occurs the office manager will contact the next person(s) at the “top” of the waiting list, requesting that they come in to the office for an eligibility appointment. Applicants may choose not to be considered for an apartment at the time they are contacted and may remain on the Waiting List. In that case, their name will then go to the “bottom” of the Waiting List. Applicants who repeatedly (two times) turn down the opportunity for an apartment will be removed from the Waiting List. Those applicants who have been removed from the Waiting List must reapply in order to be considered for an apartment once again. Upon reapplication, the applicant will be placed at the bottom of the Waiting List.

UNIT TRANSFERS

Transfers may be may be approved under any of the following provisions:

- The tenant must establish a medical diagnosis, documented by the tenant’s physician, which would warrant the transfer.
- The tenant’s medical diagnosis is jeopardized by a condition of the building which adversely impacts upon the tenant’s health.
- The tenant requires the special features of an accessible unit.

Current tenants awaiting a transfer for any of the above reasons will be given a preference over applicants on the Waiting List when the appropriate unit becomes available.

VERIFICATION REQUIRMENTS

- Proof of age and identity
- Citizenship or eligible immigration status as verified through the Department of Homeland Security and the SAVE system
- Social Security numbers or certification that no SSN has been assigned. Applicant may retain their place on the Waiting List for 60-days while obtaining documented SSN.
- All income, assets, expenses, deductions, and family characteristics

SCREENING PROCEDURES

Applicant screening is conducted to determine the likelihood that an applicant will be able to meet the essential requirements of tenancy as expressed in the lease, house rules and our operating policies. We also conduct applicant screening to protect the security and well being of our current tenants. Live-in aids are subject to the same screening requirements as applicants. The lack of a credit or rental history does not constitute grounds for the rejection of an applicant. The background check will include:

- Credit history report including delinquencies, collections, judgments or bankruptcy
- Rental history including landlord references and tenant court records
- Criminal background check
- Review of lifetime registration on any state's sex offender registration program
- Personal interview

REQUIREMENTS OF TENANCY

- Demonstrate the ability to pay rent on time.
- Understand and comply with the terms and provisions of the lease.
- Understand and abide by the owner's rules, policies and procedures.
- Maintain the apartment in a safe, clean and sanitary manner.
- Permit Landlord access to the apartment to inspect and make repairs.
- Refrain from causing damage to the apartment or common areas.
- Refrain from disturbing other tenants.
- Avoid illegal activity of any kind.
- Allow only those persons named on the lease to occupy the apartment.
- Support by actions and behaviors the right to quiet enjoyment by other tenants.
- Avoid abusive attitudes, behavior or language toward tenants, staff or management.

STUDENT ELIGIBILITY

A student enrolled in an Institute of Higher Education will be deemed eligible for assistance if the student meets all other eligibility requirements, passes screening criteria and is:

- Over 23 years of age or
- A veteran of the US Military or
- Married or
- Has a dependent child or
- Has parents who, individually or jointly are income eligible for assistance or
- Disabled and was receiving assistance as of November 30, 2005

VIOLENCE AGAINST WOMEN ACT (VAWA)

- **Domestic Violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- **Dating Violence** means violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim, and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.
- **Stalking** means (A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass or intimidate; or (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and (B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.
- **Immediate Family Member** means, with respect to a person: (A) a spouse, parent, brother or sister, or child of the person, or an individual to whom that person stands in loco parentis (in place of a parent); or (B) any other person living in the household of that person and related to that person by blood or marriage.

The VAWA protections apply to families applying for or receiving rental assistance payments under the project-based Section 8 program. An applicant cannot be denied admission because s/he has been a victim of domestic violence, dating violence or stalking. An applicant or tenant cannot be denied rental assistance because s/he has been a victim of domestic violence, dating violence or stalking. Domestic violence, dating violence or stalking is not good cause for the eviction of the victim of that violence. An incident of actual or threatened domestic violence, dating violence or stalking does 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. Furthermore, criminal activity directly relating to domestic violence, dating violence or stalking is not grounds for terminating the victim's tenancy. Our lease contains an addendum that makes it clear that domestic violence, dating violence or stalking is not good cause for evicting the victim of that violence.

Applicants and tenants who are or have been victims of domestic violence, dating violence or stalking are encouraged to complete the HUD approved Certification of Domestic Violence, Dating Violence or Stalking (Form HUD-91066). Ohav Sholom Housing may bifurcate or divide the lease as a matter of law so that certain offending tenants can be evicted or removed while the remaining family member's lease and occupancy rights are allowed to remain intact. Ohav Sholom Housing may evict the victim of domestic violence, dating violence or stalking if the victim poses "an actual and imminent threat to other tenants or those employed at Ohav Sholom Housing." Victims of domestic violence, dating violence or stalking may also be evicted for failing to comply with all other terms and conditions of the lease.

REJECTING APPLICANTS

Any of the following conditions are grounds for the rejection of an applicant.

- Failure to meet eligibility requirements.
- Failure to meet occupancy standards.
- Applicant or household member is currently engaged in the use of an illegal substance.
- Applicant or household member has been evicted from Federally assisted housing for drug related criminal activity.
- Applicant or household member is subject to a lifetime registration requirement under a state sex offender registration program.
- There is reason to believe the applicant or household member's abuse or pattern of abuse of alcohol interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.
- Prior criminal conviction for any crime of violence, fraud or drug related criminal activity.
- Poor credit history (a credit score of 299 or less) is a basis for rejection.
- Negative landlord references are unacceptable and are a basis for rejection.
- Previous evictions for lease violations.
- Applicant households whose members include a student enrolled in an institute of higher education are not eligible for Section 8 assistance.

REJECTION PROCEDURE

- A letter is sent to the applicant, informing him/her of the rejection of their application for housing and the reason(s) for the rejection.
- The applicant is advised in the letter that he/she has fourteen days to request a review of the rejection. The applicant may request a meeting with Ohav Sholom Management staff reviewer to appeal the rejection.
- An Ohav Sholom Housing Management staff member, not the staff member who made the initial decision on the application, will meet with the applicant to review the application and the decision to reject the applicant.
- To the extent practicable, this review will be completed within five (5) business days of the applicant's request for review. However, an in-person meeting review may not be able to be completed within five (5) business days. Such a meeting will be scheduled as soon as possible.
- The applicant will be sent a written final determination within five (5) business days of the completion of this review.

FAIR HOUSING AND EQUAL OPPORTUNITY REQUIREMENTS

- It is the policy of Ohav Sholom Housing to comply fully with Title VI of the Civil Rights Act of 1964, Title VIII and Section 3 of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974), Executive Order 11063, Section 504 of the

Rehabilitation Act of 1973, The Age Discrimination Act of 1975, The Fair Housing Act Amendments of 1988 and any legislation protecting the individual rights of applicants or residents.

- Ohav Sholom Housing will seek to identify and eliminate situations or procedures that create a barrier to equal housing opportunity for all. In accordance with Section 504, Ohav Sholom Housing will make reasonable accommodations and/or reasonable modifications to afford equal housing opportunity for individuals with disabilities.
- Ohav Sholom Housing shall not discriminate on the basis of race, color, religion, sex, national origin, age, familial status or disability. This applies to accepting and processing applications, selecting tenants from among eligible applicants on a waiting list, assigning units and the certifying and recertifying eligibility for assistance.

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