

TENANT SELECTION POLICY

Minnisink Village has formulated a Tenant Selection Plan which meets HMFA requirements and the Department of Housing and Urban Development (HUD) requirements. This Plan establishes a set policy which can be consistently applied to all applicants. Minnisink Village is located in the Borough of Matawan, County of Monmouth and State of New Jersey. The complex has 108 units and is for people who are 62 years of age and older.

I. PROJECT ELEGIBILITY CRITERIA

Prior to being placed on the waiting list and again during processing for occupancy, an applicant must qualify under ALL eligibility criteria. These criteria are as follows:

- A. Income limits are established and adjusted annually. The household’s annual income may not exceed the applicable income limit for this property or for the household size.
- B. The applicant must agree to pay the rental amount established.
- C. The unit must be the household’s only residence. Assistance may not be provided to households who will maintain another residence in addition to the assisted unit.
- D. The applicant or at least one co-head in a two-person household must be at least sixty-two (62) years of age and must provide proof of age.
- E. Household composition is as follows: Applicants must meet the definition of an elderly family.

Unit size requirements. The applicant must abide by the following unit size requirements:

Bedroom Size	Minimum Family Size	Maximum Family Size
0	1	1
1	1	2

- 1. No more than two people will be allowed per bedroom.
- 2. In order to maximize the use of available housing, management will strive for occupancy of two persons per bedroom. Valid exceptions to this policy:
  - a. State or local occupancy laws which restrict the number of occupants.
  - b. A handicapped or elderly adult requiring live-in assistance. However, the final decision is at the discretion of the tenant.
  - c. Compliance with applicable HUD regulation regarding assignment of a larger unit.
- F. All applicants and current tenants must comply with HUD Student Rule in order to be eligible for housing and/or tenant rental assistance. Also, see attached STUDENT CERTIFICATION form to be completed by applicant/resident.
- G. Violence Against Women Act (VAWA).
  - 1. A resident/victim must provide the documentation to management within 14 business days of his/her request, and the resident must name the abuser, if possible.
  - 2. The victim must swear, under penalty of perjury, that statements are true.

3. If the abuser is not on the lease, we will change the locks.
  4. Further information can be found at [www.clpa.org](http://www.clpa.org).
  5. Management may provide unit transfer, if available.
- H. Limited English Proficiency. LEP. See attached form which must be completed by all. It is called Statement Regarding English Proficiency at Minnisink Village. See also Section XV herein for details on assistance provided.
- I. Childcare/Grandparent
1. Must show proof of legal guardianship of child.
  2. Must abide by the maximum family size as described in this Project Eligibility Criteria.

## II. SOCIAL SECURITY NUMBERS

- A. The applicant must disclose his or her Social Security number as well as the Social Security numbers of all household members over the age of six by providing a copy of SSN documentation.
- B. If the required document is not available, applicant must certify that the number is accurate but that the acceptable documentation could not be provided at this time. The applicant must provide SSN documentation within 60 days from the date on which the applicant certified that the documentation was not available. After 60 days, if the applicant has not supplied the required SSN documentation, the applicant shall be determined to be ineligible and shall be removed from the waiting list.

## III. RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS

- A. Assistance can only be provided for applicants and their household members if they are United States Citizens, U.S. Nationals or have eligible immigration status.
- B. Applicants and all household members claiming to be a U.S. Citizen or a U.S. National must sign a declaration attesting to such status and provide proof of such status. When the household member is a minor child, the declaration must be signed by the legal guardian.
- C. Applicants and all household members claiming to have eligible immigration status must sign a declaration attesting to such status and provide INS document supporting said status. When a household member is a minor child, the declaration must be signed by the legal guardian. All information provided in support of eligible immigration status will be independently verified with the INS before eligibility can be determined.
1. Assistance can only be provided for household members whose eligible immigration status has been verified.
  2. Should the household contain an ineligible household member, assistance may be provided in accordance with HUD regulations.

## IV. INCOME LIMITS

- A. Applicant's annual gross income must not exceed the low income limits that are established annually by HUD/Fair Market Rent (FMR) for Section 8 Program.

Income limits are adjusted accordingly. The applicant's household annual income must not exceed 80% of area median income to qualify as low income.

- B. Each year 40% of the annual move-ins at Minnisink Village will be reserved for applicants who are at or below 30% of the area median income.

## V. MARKETING

- A. Advertising that applicants are being accepted for available units or for placement on a waiting list for currently unavailable units will be in accordance with the Affirmative Fair Housing Marketing Plan.
- B. A written application must be completed by all applicants. An applicant may request that an application be mailed to them. In addition to the application, a copy of the Tenant Selection Policy will be provided to all applicants. No application will be issued if the waiting list is closed. The waiting list will be closed in whole or in part should the wait for any particular unit size become in excess of two (2) years.
- C. Minnisink Village shall maintain a waiting list, per the HUD approved Affirmative Fair Housing Marketing Plan. The waiting list will be closed in whole or in part should the wait for any particular unit size become in excess of two (2) years.

## VI. APPLICATIONS

- A. A written application must be completed by all applicants. An applicant may pick up an application at the rental office or request that an application be mailed to him or her. In addition to the application, a copy of the Tenant Selection Policy will be provided to all applicants. No application will be issued if the waiting list is closed. The waiting list will be closed in whole or in part should the wait for any particular unit size become in excess of two (2) years.
- B. As completed applications are received in the rental office, they are marked with date and time received, initialed by manager, numbered consecutively and placed on the waiting list. Minnisink Village maintains two separate waiting lists:
  - 1. Waiting list for studio apartments.
  - 2. Waiting list for one bedroom apartments.
- C. All waiting list applicants remain on the waiting list until:
  - 1. Admittance to a unit; or
  - 2. Rejection due to failure to meet eligibility criteria; or
  - 3. Voluntarily refusing to accept a unit when offered; or
  - 4. Failure to respond to a written notice of unit availability.
- D. It is the responsibility of the applicant to keep management informed of any change of address, telephone number or other contact information during the period applicant remains on the waiting list. Failure to provide up to date information will result in applicant being removed from the waiting list if management cannot contact applicant.
- E. After placing an applicant on the waiting list, the following steps will occur:
  - 1. Applicants on the waiting list will be notified first by telephone and then by written letter, if he or she could not be reached by telephone, when management has an open apartment and his or her name is near the top of the list. If applicant

- does not respond to the written notification within five business days, his or her name will be removed from the waiting list.
2. If management cannot fill a vacancy in a studio apartment after contacting all applicants on the studio apartment waiting list, management may offer to move a tenant to the first available one bedroom apartment after the tenant has been a resident in the studio apartment for at least one year. Said agreement between the tenant and Minnisink Village will be in writing. Any claim of a verbal agreement by a tenant will be considered invalid.
  3. Applicant will be scheduled for an in person interview for him or her to view a sample apartment. They will not be able to see the specific apartment that will be available, but the sample apartment will be of the same size and dimensions.
  4. Applicant will be advised of the pet rules and regulations and will be informed of the No Smoking Policy. Applicant will also be advised of resources available to limited English proficiency applicants.
  5. Applicant will be asked to review his or her application and to make any necessary changes to said application. During the interview, the program requirements, verification procedures and penalties for false information will be explained. If applicant needs further time to provide the necessary information, he or she will be given five (5) business days to deliver the necessary information to Minnisink Village. If applicant does not provide the necessary information after five (5) business days, he or she will be informed in writing that his or her name has been removed from the waiting list.
  6. Applicants must sign consent forms and, as necessary, verification documents so that Minnisink Village can verify sources of household income. The applicant will be considered ineligible if he or she refuses to sign applicable consent and verification forms. All applicants must sign the HUD-required consent forms (Form HUD-9887 Notice and Consent for Release of Information and Form HUD-9887A Applicant's/Tenant's Consent to the Release of Information).
  7. Applicants must sign an Authorization to Obtain Information which will permit Minnisink Village to obtain credit reports, criminal background reports, prior landlord reports, income verification and employment reports.
  8. A final decision on eligibility cannot be made until all verifications are completed and approved by New Jersey Housing.
  9. Applicant will be advised that HUD will compare the information supplied with information that federal, state or local agencies have concerning the applicant's income and household income.
  10. Applicants on the waiting list who refuse an available apartment will be removed from the waiting list. Management will request applicant to put said refusal in writing; however failure to provide said written refusal will not prevent applicant from being removed from the waiting list. Applicant may request in writing to be placed at the end of the waiting list. Verbal requests to be placed at the end of the waiting list will not be valid. Applicant must make said written request to be placed at the end of the waiting list at the time he or she refuses an available apartment. In no event will applicant be allowed to make said request after five (5) days have elapsed from the date of the personal interview.

## VII. TENANT SCREENING REVIEW

- A. All applicants must meet the Project Eligibility Criteria and other requirements set forth herein.
- B. All eligible applicants and household members must agree to sign an authorization form allowing Minnisink Village to perform a background check for the following:
  - 1. Credit history.
  - 2. Prior landlord reference (per signed authorization by prospective tenant).
  - 3. Criminal background check, as Federal law requires.
  - 4. Illegal drug usage.
  - 5. Sex offender registration information.
  - 6. The Enterprise Income Verification System (EIV) will be accessed for all move-ins to verify that a double subsidy does not exist at the time of the move-in and to verify all reported income. The EIV "Existing Tenant Query" search will be used to perform this check. The Income Detail Report, Income Summary & Income Discrepancy reports will be processed to verify move-in information provided by the applicant.

## VIII. TENANT REJECTION CRITERIA

The tenant screening and rejection criteria applies to all individuals listed as head of household, spouse or co-head of household who are expected or propose to reside in the unit. An applicant and/or any additional household member who is proposed to reside in the unit will be refused occupancy for one or more of the following reasons:

- A. If an applicant fails to meet one or more of the eligibility criteria.
- B. If the applicant submits false information about themselves or any household member.
- C. If the applicant is unable to produce and/or verify the social security number of all household members.
- D. Poor credit history which is indicated by:
  - 1. National Tenant Network Decision Point Plus applicant score of 59 or less.
  - 2. Any credit rating reflecting a payment history of two instances of over ninety (90) days or more past due or one instance of over one hundred and twenty (120) days past due; or
  - 3. Any applicant, spouse or co-head of household who has filed for bankruptcy within the last five years or is repaying any debts under the wage-earner plan or similar arrangements; or
  - 4. Any credit history that is an indication of irresponsible behavior that indicates future problems for Minnisink Village.
- E. Poor landlord references which would be indicated when a previous landlord shows the applicant to be:
  - 1. Continually late in payment of rent; or
  - 2. A source of conflict with management and/or other residents; or
  - 3. Destructive to his or her apartment or other public areas; or
  - 4. In violation of previous lease agreements.

All landlord references will be requested by sending previous landlords a Request to Prior Landlord signed and authorized by prospective tenant. If prior landlord does not return said Request, a follow up may be made by phone. Said follow up will have a record kept of statements made indicating the date, time and person spoken to. After oral representations are recorded, an additional request will be made for a written landlord reference. We will not deny tenancy to a potential resident on the basis of a tenant having experienced a prior bed bug infestation.

- F. Adverse police record which would be indicated by the following:
  - 1. Eviction from another federally assisted site for drug related criminal activity.
  - 2. Currently engaging in abuse of alcohol.
  - 3. Currently engaging in illegal drug use.
  - 4. Any arrests for assault and/or battery.
  - 5. Any felony conviction.
  - 6. Domestic or any other violence.
  - 7. Criminal history related to a sexual offense.
- G. If the applicant, his or her spouse or sole member are under the age of sixty-two (62) years and not disabled or handicapped.
- H. Any indication that the applicant cannot adequately sustain decent levels of habitability or control of dependents so as to adversely affect the property of other residents.
- I. A personal interview that indicates an unstable or potentially hazardous relationship between the applicant's household and other residents.
- J. A personal interview and/or information that indicates the applicant or any household member would be a threat to the safety and well-being of the property and/or other residents.
- K. A personal interview and/or information that indicate the application will be unable to comply with the terms of the lease agreement.

#### IX. TENANT REJECTION NOTIFICATION

- A. Each rejected applicant will be promptly notified in writing of the reasons(s) for rejection. This notice will advise the applicant that he or she may, within fourteen (14) days of receipt of the notice, request in writing a meeting to discuss the reason(s) for rejection.
- B. Should the applicant request a meeting to discuss the rejection, at such meeting, applicant will be provided with copies of the documentation relied upon by Minnisink Village in making the determination that applicant did not meet the eligibility requirements. In addition to the manager who made the decision to reject the applicant, an additional representative of Minnisink Village will be present at such meeting to discuss the reason(s) for the rejection.
- C. Should applicant believe that anything contained in the documentation relied upon by Minnisink Village to reject his or her tenancy is inaccurate, applicant should exercise any legal or other rights he or she may have to correct such information. In no event shall it be the responsibility of Minnisink Village to correct such information.

X. DISCRIMINATION

Minnisink Village does not discriminate for any reason, including race, color, age, religion, sex, national origin, language, disability or familial status. Minnisink Village abides by the requirements cited in Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act and other relevant civil rights laws and statutes.

XI. ADDENDUM

Addendum attached for additional resources and information.

ADDENDUM

I. LANGUAGE ASSISTANCE PLAN FOR LIMITED ENGLISH PROFICIENCY (LEP) RESIDENTS

Minnisink Village will ensure nondiscrimination by taking all reasonable steps to ensure meaningful access to persons with Limited English Proficiency (LEP).

As much as possible we rely, for financial reasons, on volunteers to translate.

- A. We have an in house resident who speaks fluent Spanish.
- B. We engage an outside individual referred to us by Jewish Family Services to translate documents.
- C. We have an in house resident who speaks fluent Chinese.
- D. We rely on a family member for Arabic translation.

In the event that an applicant has no knowledge of English, we will enlist, if necessary, the assistance of a social service agency administering to that population.

Four Factor Analyses for Minnisink Village

A. Number and proportion of LEP residents as of January 2017:

<u>108 Households</u>	<u># of Residents</u>	<u>Percentage of Residents</u>
Hispanic (Spanish speaking)	6	5.5%
Asian (various languages)	9	8.3%
Egyptian	1	0.9%

B. Frequency with which LEP persons come into contact with our program.

1. Applicants on waiting list.

When contacting someone on our list who shows LEP (via phone), a suitable person to translate will be utilized. During the interview and screening, either a family member or a translator will be utilized depending on the applicant's preference. All documents available in the language will be used including the house rules and leases, if available.

2. Existing residents.

- a. Existing tenants will be provided with translation services of family members and other residents. If that isn't accepted, we will utilize service organizations that have agreed to assist us.
- b. We will target language services, including Google Translate, where they are most important, such as vital documents (lease, house rules) but also in notices dealing with health & safety as well as the availability of programs and services and recreational activities.
- c. Regardless of whether or not the tenant has been given a translated lease, the tenant will need to sign only the English version of the lease.

C. Importance of service information, program or activity

- 1. Since Minnisink Village stresses the importance of social activities, we will provide translation of our most special events for LEP populations of 2% of or more of any one specific language.



2. We will make every effort to provide our LEP residents with information about support services, transportation and outside agencies that offer help.
  3. Specific agencies will be contacted for any emergency communication that needs to occur, i.e., police, fire, American Red Cross, etc.
- D. Costs vs. Resources and Benefits
- In matters that are most important, i.e., legal and safety issues, we will secure language and translation services, including Google Translate, and will pay for such services when necessary. Mostly we will rely on family members, Google Translate, and agencies that have agreed to work for us.

Related Items

- A. Implementation has been as of April 2007 for staff to follow LEP policies and procedures.
- B. Services Available:
  1. Translation of vital documents – written
  2. Translation of important notices – written
  3. Translation of important issues – oral
- C. A list of persons needing language assistance will be kept by the manager so that ongoing services can be offered. Residents will be asked (by a translator if necessary) if they would like language assistance provided at recertification time by an agency, a family member or another resident. If none of these are suitable, the cost for an official translator will be investigated.
- D. As a small complex, our level of services will be comprehensive enough for our needs. While services must be provided for legal issues, we will continue to monitor the need for additional language services to provide access for health & safety, recreational & social programs and notices of special activities or building circumstances.
- E. We will provide staff training to recognize when to use translators.
- F. We will offer multiple language notices to LEP persons informing them that language services are available if needed at no cost.

List of Interpreters

In House

Family member

Agencies

Jewish Family Services

Translated Documents

Model Lease

House Rules

Fair Housing Notices

II. UNIT TRANSFER POLICY

The decision to allow unit transfer will be at the sole discretion of management. The following criteria will be followed. After move-in a tenant may be transferred to another unit in the complex if one of the following conditions exists:

- A. The current unit becomes overcrowded due to a change in the family composition.
- B. The current unit becomes overcrowded because of the need for a hospital bed, home health aide or other documented medical problems.

- C. If a member of the household meets the definition of an “Individual with a Handicap” as contained in Section 504 of the Rehabilitation Act of 1973; a transfer may be considered as a reasonable accommodation.
- D. A Request for Transfer form will be completed for any tenant requesting such transfer. No such request will be approved if the tenant is under an eviction order, has unacceptable housekeeping or has a balance due (to include but not limited to rent, late charges, damages, bounced check charges or any other charges in addition to rent that is referenced in the lease and rules and regulations).
- E. Once the need for transfer has been verified by the on site manager, the family will be placed on the transfer list. Generally, vacant units will be occupied by tenants from the transfer list prior to selecting applicants from the waiting list; however, this will be at the sole discretion of Minnisink Village.
- F. Any expenses incurred by the tenant in transferring apartments will be at the sole expense of the tenant unless there has been a prior written agreement between Minnisink Village and the tenant.
- G. Requests to move selected family members into separate units will not be considered unit transfers. These are new move-ins and will require placement on the regular waiting list.

### III. INSURANCE

Minnisink is not responsible for the loss of or damage to any personal property (furniture, furnishings, clothing, etc.) contained in the tenant’s apartment; unless such loss or damage is caused by the negligence of the Landlord. The Landlord is not responsible for the loss of or damage to any vehicles parked on the premises or driving through the premises, unless such loss or damage is caused by the negligence of the Landlord. Determination of negligence shall be the responsibility of the Landlord’s liability insurance carrier, and the Landlord will present any claims to said carrier for determination. Damage caused by Acts of God (wind, storm, etc.) are not covered by the Landlord’s liability insurance policy. It is recommended that all tenants obtain coverage for loss of personal property (tenant’s insurance) from his or her personal insurance carrier and to carry insurance to cover any losses or damage to his or her vehicle.

### IV. TENANT RULES AND REGULATIONS

See attached forms and Tenant Manual which will be provided to all tenants.

### V. NO SMOKING POLICY

For the health and safety of our residents, visitors and staff, Minnisink Village has implemented policies to become a smoke free complex.

- A. New Residents. All prospective residents will be advised that they may not smoke anywhere within the complex, including their individual apartments, all outside areas, the community room and the laundry room.

- B. Existing Residents. Tenants residing in the complex prior to March 1, 2017 will be “grandfathered” and will be permitted to smoke in their individual apartments only. No guests, visitors, home health aides or employees will “grandfathered” and are not permitted to smoke in the apartment.
- C. All Residents, Visitors, Employees and Home Health Aides are prohibited from smoking in any of the common areas of the complex, including all outdoor spaces, the community room and laundry room. No person is “grandfathered” for this rule. Any person choosing to smoke must physically leave the property in order to do so. All residents and prospective residents must sign a copy of this policy to indicate their understanding and willingness to comply. Failure to adhere to this policy will be a lease violation.