

# TENANT SELECTION PLAN

**(For Other Non-Section 8 Program Developments)**

**DEVELOPMENT NAME**

**IHDA PROJECT IDENTIFICATION NUMBER (PID)**

**DEVELOPMENT ADDRESS, CITY, STATE AND ZIP CODE**

# TABLE OF CONTENTS

## I. INTRODUCTION

A. Development Description.....	5
B. Tenant Type.....	6
C. Unit Distribution.....	7
D. Rent Structure.....	9
E. Civil Rights and Non-Discrimination Requirements.....	9
Fair Housing Act.....	9
Title IV of the Civil Rights Act of 1964.....	10
Age Discrimination Act of 1975.....	10
Section 504 of the Rehabilitation Act of 1973.....	11
Equal Access to Housing in HUD Programs Regardless of Sexual Orientation and or Gender Identity.....	12
Policies to Comply with Limited English Proficiency and Violence Against Women Act.....	12

## II. PREFERENCES

A. Establishing Preferences.....	13
B. Verification of Preferences.....	15
C. Selection of Families for Participation.....	15
D. When a Preference is Denied.....	15
E. Exceptions to the Preference Rule.....	15

## III. PRE-APPLICATION CARD PROCESSING

A. Distribution of Pre-Application Cards or Pre-Applications.....	16
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B. Processing Pre-Application Cards or Pre-Applications.....	16
<b>IV. WAITING LIST PROCEDURES</b>	
A. Creation of the Waiting List.....	17
B. Changes in Income or Household Composition.....	18
C. Contacting Persons on the Waiting List.....	19
D. Updating the Waiting List.....	20
E. Closing and Re-opening the Waiting List.....	21
<b>V. THE INTERVIEW AND SCREENING PROCESS</b>	
A. Application Requirements.....	22
B. Home Visits.....	23
C. Completion of Application Process.....	24
<b>VI. ELIGIBILITY REQUIREMENTS</b>	
A. Income.....	24
B. Certification of Date of Birth.....	24
C. Certification of Social Security Numbers.....	24
D. Student Eligibility Requirements.....	24
<b>VII. OCCUPANCY STANDARDS.....</b>	<b>25</b>
<b>VIII. SECURITY DEPOSITS.....</b>	<b>26</b>
<b>IX. REJECTION CRITERIA</b>	
A. Insufficient/Inaccurate Information on Application.....	26
B. Credit and Financial Standing.....	27
C. Criminal Convictions/Current Drug Use.....	27
D. Household Characteristics.....	28

E. Unsanitary Housekeeping.....	29
F. Exception to Rejection Criteria.....	29
<b>X. REJECTION PROCEDURES</b>	
A. Written Notification.....	29
B. Review of Rejected Applications.....	29
<b>XI. SPECIAL OCCUPANCY CATEGORIES</b>	
A. Persons with Disabilities.....	30
<b>XII. AMENDING THE TENANT SELECTION PLAN.....</b>	<b>30</b>
<b>XIII. CERTIFICATION.....</b>	<b>30</b>



# TENANT SELECTION PLAN



**(For Other Non-Section 8 Programs and Developments)**

**DEVELOPMENT NAME**

**IHDA PROJECT IDENTIFICATION NUMBER (PID)**

**OWNER'S ORGANIZATION NAME (the "Owner")**

## **I. INTRODUCTION**

This Tenant Selection Plan ("Plan") outlines the procedures that will be followed in selecting tenants for the Development. Management is responsible for implementing these procedures in accordance with guidelines set forth by the Illinois Housing Development Authority ("IHDA").

### **A. Development Description**

*(Check the one that applies)*

- The Development does not offer subsidized rents.
- The Development offers subsidized rents. This means the rent that a tenant pays is based upon the tenant's household income. Therefore, the rent paid by tenants may vary among individual households and other tenants. The rents attached to this Plan as Exhibit A reflect the market or contract rent for the Development and not the typical tenant portion of the rent. (Subsidized rents are usually made available through participation in rental assistance housing programs: (i) the HUD Section 8 Program or (ii) Section 811 PRA. It should be noted that such programs have household income limitations.

In addition, the Development  **does**  **does not** accept Housing Choice Vouchers. *(Check the one that applies)*

## B. Tenant Type

The Development is designated as housing for: *(check all that apply)*

- |  |                                       |
|--|---------------------------------------|
| <input type="checkbox"/> Elderly               | <input type="checkbox"/> Near Elderly |
| <input type="checkbox"/> Elderly Special Needs | <input type="checkbox"/> Family       |
| <input type="checkbox"/> Special Needs         |                                       |

If the “Elderly” and/or “Special Needs” designation is selected, the age restriction, for the units designated Elderly will be: *(check all that apply)*

- 55 and above (households whose head or spouse or co-head or sole member is at least 55 years of age) or;
- 62 and above (a requirement for **all** household members) or;
- 62 and above (households whose head or spouse or co-head or sole member is at least 62 years of age) or;

The age restriction for the units designated “Near Elderly Family” will be: *(check the one that applies)*

- 50 but below the age of 62 (households whose head or spouse or co-head, or sole member is a person who is at least 50 years of age) or;
- 50 but below the age of 62 (households consisting of one or more persons who are at least 50 years of age but below the age of 62, living with one or more live-in aides).

Identify all applicable special needs population(s) served by the Development: *(Check all that apply)*

- |   |   |
|---|---|
| <input type="checkbox"/> Victims of Domestic Violence | <input type="checkbox"/> Foster Care Families |
| <input type="checkbox"/> Disabled                     | <input type="checkbox"/> Transient Families   |
| <input type="checkbox"/> HIV/AIDS                     | <input type="checkbox"/> Ex-offenders         |
| <input type="checkbox"/> Homeless                     | <input type="checkbox"/> Substance Abusers    |

Veterans

Mental Illness

Other

**C. Unit Distribution**

**1. Development**

The Development will offer a total of \_\_\_\_\_ rental units.

This  **includes**  **does not include** a management unit.  
*(Check the one that applies)*

The income limitations of these units are as follows:

Market rate (no income restriction) units

Units at \_\_\_\_\_ % Median Income

Units at \_\_\_\_\_ % Median Income

Units at \_\_\_\_\_ % Median Income

Units at \_\_\_\_\_ % Median Income

Total Number of Management Units \_\_\_\_\_

**2. Development (Unit Breakdown per Written Agreement)**

**Per Regulatory Agreement Program:**

**Per Extended Use Agreement:**

Market rate units

Market rate units

Units at \_\_\_\_\_ % Median Income

Units at \_\_\_\_\_ % Median Income

Units at \_\_\_\_\_ % Median Income

Units at \_\_\_\_\_ % Median Income

Units at \_\_\_\_\_ % Median Income

Units at \_\_\_\_\_ % Median Income

Units at \_\_\_\_\_ % Median Income

Units at \_\_\_\_\_ % Median Income

Management Units \_\_\_\_\_

Management Units \_\_\_\_\_

**Per Regulatory Agreement Program:**

Market rate units  
Units at % Median Income  
Units at % Median Income  
Units at % Median Income  
Units at % Median Income  
Management Units

**Per Extended Use Agreement:**

Market rate units  
Units at % Median Income  
Units at % Median Income  
Units at % Median Income  
Units at % Median Income  
Management Units

**3. Other Agreements**

**Per SRN Written Agreement (if applicable)**

Market rate units  
Units at % Median Income  
Units at % Median Income  
Units at % Median Income  
Units at % Median Income  
Management Units

**Per Section 811 PRA Contract (if applicable)**

Market rate units  
Units at % Median Income  
Units at % Median Income  
Units at % Median Income  
Units at % Median Income  
Management Units

**Per LTOS Agreement (if applicable)**

Market rate units  
Units at % Median Income  
Units at % Median Income  
Units at % Median Income  
Units at % Median Income  
Management Units



## **D. Rent Structure**

The current rent structure for the Development, by unit size and income distribution, is attached to this Plan (**Exhibit A**).

## **E. Civil Rights and Non-Discrimination Requirements**

### **1. General**

Federal civil rights laws addressing fair housing prohibit discrimination against applicants or tenants based on race, color, national origin, religion, sex, familial status, and disability. The Illinois Human Rights Act addressing fair housing prohibits discrimination against applicants or tenants on the basis of race, color, religion, sex (including sexual harassment), pregnancy, national origin, ancestry, age (40 and over), order of protection status, marital status, sexual orientation (which includes gender-related identity), unfavorable military discharge, physical and mental disability, and familial status.

HUD's Office of General Counsel issued a memo dated [April 4, 2016](#), providing guidance on the Fair Housing Act and how it applies to the use of criminal history by providers or operators of housing and real estate related transactions.

The remaining paragraphs in this section provide brief descriptions of key federal civil rights laws regarding fair housing and accessibility.

The owner and management shall be familiar and comply with the regulations implementing these applicable federal civil rights laws and any state civil rights laws or local ordinance regarding fair housing and accessibility.

### **2. Fair Housing Act**

The Fair Housing Act Amendment of 1988 ("Fair Housing Act") prohibits discrimination in housing on the basis familial status, disability, religion, race, skin color, nationality (national origin), and sex regardless of any federal financial assistance.

Under the Fair Housing Act, the owner and management shall not take any of the actions listed below based on familial status, disability, religion, race, skin color, nationality (national origin), and sex:

- a. Deny anyone the opportunity to apply to rent housing, or deny to any qualified applicant the opportunity to lease housing suitable to his or her needs;

- b. Provide anyone housing that is different from that provided to others;
- c. Subject anyone to segregation, even if by floor or wing;
- d. Restrict anyone's access to any benefit enjoyed by others in connection with the housing program;
- e. Treat anyone differently in determining eligibility or other requirements for admission, in use of the housing amenities, facilities or programs, or in the terms and conditions of a lease;
- f. Deny anyone access to the same level of services;
- g. Deny anyone the opportunity to participate in a planning or advisory group that is an integral part of the housing program;
- h. Publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons; and
- i. Retaliate against, threaten, or act in a manner to intimidate someone because he or she has exercised rights under the Fair Housing Act.

The Fair Housing Act provides additional protections for persons with disabilities. It requires that management make reasonable accommodations in rules, policies, practices, or services as may be necessary to afford handicapped persons equal opportunity to use and enjoy a dwelling. Moreover, it contains specific accessibility requirements that apply to the design and construction of new multi-unit housing.

Owners of federal assisted housing programs shall display the [Fair Housing Poster](#) as required by the Fair Housing Act.

### **3. Title VI of the Civil Rights Act of 1964**

Title VI of the Civil Rights Act of 1964 ("Civil Rights Act") prohibits all recipients of federal financial assistance from discriminating based on race, color, or national origin.

### **4. Age Discrimination Act of 1975**

The Age Discrimination Act of 1975 ("Age Discrimination Act") prohibits discrimination based upon age in federally funded and assisted programs, except in limited circumstances. It is not a violation of the Age Discrimination Act to use age as screening criteria in a particular program if age distinctions are permitted by statute for that program, or if age

distinctions are a factor necessary for the normal operation of the program, or the achievement of a statutory objective of the program or activity.

## **5. Section 504 of the Rehabilitation Act of 1973 (for Federal Programs)**

Section 504 of the Rehabilitation Act of 1973 ("Section 504") prohibits discrimination based upon disability in all programs or activities operated by recipients of federal financial assistance. Although Section 504 often overlaps with the disability discrimination prohibitions of the Fair Housing Act, it differs in that it also imposes broader affirmative obligations on the owner to make their programs, accessible to persons with disabilities. Section 504 obligations include the following:

- a. Making and paying for reasonable structural modifications to units and/or common areas that are needed by applicants and tenants with disabilities, unless these modifications would change the fundamental nature of the project or result in undue financial and administrative burdens;
- b. Operating housing that is not segregated based upon disability or type of disability, unless authorized by federal statute or executive order;
- c. Providing auxiliary aids and services necessary for effective communication with persons with disabilities;
- d. Performing a self-evaluation of Management's programs and policies to ensure that they do not discriminate based on disability; and
- e. Developing a transition plan to ensure that structural changes are properly implemented to meet program accessibility requirements.
- f. Section 504 also establishes accessibility requirements for newly constructed or rehabilitated housing, including providing a minimum percentage of accessible units.

If the owner, management agent and/or development company employ 15 or more persons, regardless of their location or duties, a Section 504 Coordinator must be designated.

Does the Section 504 Coordinator requirement apply?  
(Check the one that applies)

Yes       No

If “Yes” was checked, provide the name of the Section 504 Coordinator:

Name:

Telephone Number:

TDD Number:

**6. Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity (for Federal Programs)**

Effective March 5, 2012, HUD implemented new regulations intended to ensure that their core housing programs are open to all eligible persons regardless of actual or perceived sexual orientation, gender identity or marital status (HUD Notice 2015-01).

Owners and operators of HUD-assisted housing, or housing whose financing is insured by HUD, must make housing available without regard to sexual orientation, gender identity, or marital status.

All otherwise eligible families, regardless of marital status, sexual orientation, or gender identity, will have the equal opportunity to participate in HUD programs.

Owners and operators of HUD-assisted housing or housing financially insured by HUD are prohibited from asking about an applicant or occupant’s sexual orientation and gender identity for the purpose of determining eligibility or otherwise making housing available.

**7. Executive Order 13166 – Limited English Proficiency (for Federal Programs)**

Executive Order 13166 requires the owner and/or management to take reasonable steps to ensure meaningful access to the information and services they provide for persons with Limited English Proficiency. This may include interpreter services and/or written materials translated into other languages.

**8. Violence Against Women and Justice Department Reauthorization Act of 2005 and 2013 (for Federal Programs and LIHTC Developments ONLY)**

The Violence Against Women and Justice Department Reauthorization Act of 2005 (VAWA 2005, and reinstated in the HUD Reauthorization Act of 2013 and 2019) protects victims of domestic violence, sexual assault, dating violence or stalking, as well as their immediate family members

generally, from being evicted or being denied housing assistance if an incident of violence is reported and confirmed. In accordance with federal and IRS guidelines, owners and agents must obtain tenant signatures on the [Violence Against Women's Act Lease Addendum](#).

Owners and managers responding to an incident of actual or threatened domestic violence, dating violence or stalking that could potentially have an impact on an tenant's participation in the housing program may request in writing that an individual complete, sign and submit within 14 business day of the request, the HUD-approved certification form ([HUD-5382](#)).

Alternatively, in lieu of the certification form or in addition to it, the owner or manager may accept (i) a federal, state, tribal, territorial, or local police record or court record or (ii) documentation signed and attested to by a professional (employee, agent or volunteer of a victim service provider, an attorney, medical personnel, etc.) from whom the victim has sought assistance.

The owner or manager is encouraged to carefully evaluate abuse claims to avoid conducting an eviction based upon false or unsubstantiated accusations.

## II. PREFERENCES

### A. Establishing Preferences

Preferences are not permitted if they in any way negate affirmative marketing efforts or fair housing requirements. The following preferences apply to the Development:

#### 1. Existing Tenant Preferences

The following actions are always given priority if applicable. If not, State Mandated Preferences take precedence.

- a. A unit transfer based on household size.
- b. A unit transfer based on the need for an accessible unit.
- c. A unit transfer must occur for a tenant who actively occupies but does not require the features of an accessible unit to accommodate a physically disabled applicant on the Waiting List. To ensure a full and complete understanding of this requirement, a Lease Addendum (**Exhibit B**) will be entered into with non-physically disabled tenants living in an accessible unit.

## 2. State Mandated Preferences

The Development must comply with the three Illinois mandatory preferences required in Section 11 and 12 of 20 ILCS 3805 as described below:

- a. Displaced from an urban renewal area.
- b. Displaced as a result of a governmental action.
- c. Displaced as a result of a major disaster.

## 3. Optional Preferences

In addition to the preferences mandated by the State of Illinois and the Existing Tenant Preferences listed above, the Development may establish the following preferences. The preferences listed below are subordinate to State Mandated Preferences and Existing Tenant Preferences.

*(Check all that apply and rank in the order of highest preferences (1) to lowest preference):*

- a. Pre-Approved Preferences
  - i. Preference for Working Families  Order #
  - ii. Preference for Persons with Disabilities including SRN or 811  Order #
  - iii. Preference for Victims of Domestic Violence  Order #
  - iv. Preference for elderly, displaced, homeless, or disabled single person over other single persons  Order #
- b. Residency Preferences (with HUD approval)  Order #
- c. Local Preference – Public Housing Agency governing the jurisdiction in which a property is located (as established by HUD)  Order #
- d. Veterans Preference  Order #
- e. Existing Tenant Transfers (other) – A deeper rent subsidy  Order #

## **B. Verification of Preferences**

The State Mandated Preferences will be verified by third-party verification (**Exhibit C**). Third party verification will also be utilized if the owner has adopted any of the Former Federal Preferences. If management has selected any of the optional preferences and will not be using third-party verification the following means of verification will be utilized:

## **C. Selection of Families for Program Participation based upon Preference**

1. An eligible applicant who qualifies for a preference will receive housing before any other applicant who is not so qualified. These preferences take precedence over other applicant's placed on the Waiting List, or date of submission of application.
2. Applicants will be informed of the availability of preferences and will be given an opportunity to certify that they qualify for a preference. Applicants may claim a preference at any time during the application process.

## **D. When a Preference is Denied**

1. If it is determined that an applicant does not meet the criteria for receiving a preference, the applicant will promptly receive written notice of this determination from Management (**Exhibit D**). The notice will contain a brief statement of the reasons for the determination, further informing the applicant of their right to meet with the Management's designee to review this decision. If the applicant requests a meeting, it will be conducted by a person or persons designated by Management.
2. Denial of a preference does not prevent the applicant from exercising any legal rights the applicant may have against Management and/or the Owner.

## **E. Exceptions to the Preference Rule**

1. Relocation and/or Unit Transfers - Management must give priority to current households:
  - a. When their units are designated for rehabilitation and/or;

- b. For current households residing in a unit within the Development that has been designated as uninhabitable by federal, state, local municipalities, or Management due to fire, flood, or other natural disaster.

### III. PRE-APPLICATION CARD PROCESSING

#### Application Intake

Owners must accommodate persons with disabilities who cannot utilize the owner's preferred application process, by providing alternative methods of application intake (e.g. accepting mailed or on-line applications).

*(Please check which method will be used)*

The Development will use Pre-Application Cards or;

The Development will use Pre-Applications

#### A. Distribution of Pre-Application or Pre-Application Cards

1. A letter will be sent to households who respond to the marketing efforts (**Exhibit E**). This letter will include a Pre-Application Card or Pre-Application (**Exhibit F**) to be completed and mailed to Management. This letter will also inform persons about the Development's preferences and will indicate that all applicants will be given an opportunity to show that they qualify for a preference.
2. The letter will state that those persons qualifying for a preference will receive housing any other applicant who is not so qualified.
3. In addition, the letter will inform all applicants that for those persons not claiming a preference, screening will be conducted according to the order in which the Pre-Application Cards or Pre-Applications are received.
4. All returned Pre-Application Cards or Pre-Applications will be logged in, indicating the time and date received (**Exhibit G**). The Pre-Application log will indicate whether the applicant has claimed a preference or has requested an accessible unit.

#### B. Processing Pre-Application Cards or Pre-Applications

1. Pre-Application Cards or Pre-Applications will be filed in the order of receipt. In addition, Pre-Application Cards or Pre-Applications will also be categorized according to preferences, unit size and Special Occupancy Categories (as described in **Section X**).



2. All persons making inquiries will be provided a Pre-Application Card or Pre-Application with instructions to mail the Pre-Application Card or Pre-Application to Management. Pre-Application Cards or Pre-Applications received after initial sorting will be categorized in accordance with the process stated above.
3. For Developments beginning their initial marketing efforts (start-up), no Pre-Application Cards or Pre-Applications will be accepted after the date on which 95% occupancy of the Development has been reached and the applicable Waiting List has been closed.
4. For Developments, which have completed their initial marketing efforts (Up and Running), no Pre-Application Cards or Pre-Applications will be accepted after the date on which the applicable Waiting List has been closed.
5. All Pre-Application Cards or Pre-Applications **will** be retained on-site permanently and must not be purged, destroyed nor discarded.

#### **IV. WAITING LIST PROCEDURES**

##### **A. Creation of Waiting List**

If an applicant is eligible for tenancy, but no appropriately sized unit is available (as referred to in **Section VII**), Management will place the applicant on a waiting list (the "Waiting List") for the Development (**Exhibit H**). The Waiting List will be maintained in either:

*(Check the one that applies)*

- Basic File Management System
- Digitally in electronic systems or tools

**The Waiting List will contain the following information for each applicant listed:**

1. Applicant Name
2. Household unit size (number of bedrooms household qualifies for based upon the developments occupancy standards. *(\*Note: Applicant may qualify for multiple unit sizes).*)
3. Date and time application received
4. Qualification for any preferences and ranking

5. Annual income level
6. Targeted program qualifications
7. Accessibility requirements
8. Number of persons in the household

**The Waiting List will be maintained in accordance with the following guidelines:**

1. The Pre-Application Card or Pre-Application will remain on file permanently.
2. All applicants will be maintained in the order of preference. Applications of equal preference will be maintained by date and time sequence.

**B. Changes to Income or Household Composition**

Once placed upon the Waiting List, applicants will be informed to notify Management when the following change occurs:

- Address and/or phone number
- Household composition
- Preference status
- Income

If an applicant's income changes to an amount which is no longer eligible, written notice will be given advising the applicant that: (1) they are not presently eligible; (2) the applicant could be eligible if the household income decreases, the number of household member changes, or the Income Limit changes; and (3) they may choose to remain or not remain on the Waiting List.

If an applicant's household composition changes resulting in a need for a different apartment size, Management will, upon notification by applicant, place the applicant on the appropriate Waiting List. Management's policy for handling changes in household composition are indicated below: (*check the one that applies*)

- Applicant will maintain the original application date. (\*Note: Applicant will be placed on a new bedroom list according to the original application date)
- Applicant will receive a new application based on redetermination. (\*Note: Applicant will be placed at the bottom of the new bedroom list.)

### C. Contacting Persons on the Waiting List

1. Applicants on the Waiting List will be contacted as follows:

When a unit becomes or will become available within \_\_\_\_\_ days, Management will select the next applicant who meets applicable preference criteria or whose name is chronologically at the top of the appropriate Waiting List. Management will contact the selected applicant utilizing the following procedure: (*i.e. certified mail, regular mail, telephone or other.*) Modifications will be made to reasonably accommodate persons with disabilities who request or require such modifications.

Describe process:

- a. If Management does not receive a response within \_\_\_\_\_ days, the applicant will forfeit the opportunity to apply for the offered unit: (*Check the one that applies*)

and will be removed from the applicable Waiting List.

but will remain at the top of the applicable Waiting List. When a second unit becomes available, Management will again attempt to contact the applicant and will explain that if the applicant does not respond within \_\_\_\_\_ days or fails to accept the second unit, the applicant's name will be removed from the applicable Waiting List.

Other

- b. If Management receives a timely response but the applicant rejects the first offered unit, the applicant: (*Check the one that applies*)

will be removed from the applicable Waiting List.

will remain at the top of the applicable Waiting List. When a second unit becomes available, Management will again attempt

to contact the applicant and will explain that if the applicant does not respond within \_\_\_\_\_ days, or fails to accept the second unit, the applicant's name will be removed from the applicable Waiting List.

(Other)

2. If after an interview has been scheduled, the applicant fails to attend or to contact Management to reschedule the interview, the policy regarding how applicants will be addressed is: (Indicate Management's policy below)
  
3. If applicable, SRN/811 Applicants: Management must request a referral of an applicant from IL Housing Search Wait List Manager (Emphasys).
  - a. If Management does not receive a response within **5 business days** as stated in the SRN Agreement, the applicant will forfeit the opportunity to apply for the offered unit.
  - b. Management will send an email to the Wait List Manager that the applicant did not respond and will remain on the IL Housing Search Pre-Screening, Assessment, Intake, and Referral (PAIR) Module Wait List.

#### **D. Updating the Waiting List**

1. The Waiting List will be updated at least one every twelve months in the following manner:  
 A letter will be sent via regular/certified mail to each applicant on the Waiting List(s) (**Exhibit I**). The letter will include a Reply Card (**Exhibit J**) to be returned if the applicant is still interested in living at the Development. The applicant will be given \_\_\_\_\_ days (excluding weekends and designated federal holidays) from the date the letter was mailed in which to respond. If no response is received, the applicant's Pre-Application Card will be removed from the Waiting List and a letter will be sent informing the applicant of this action. If the letter is returned with a forwarding

address, it will be re-sent to the mailing address provided and a new response time as outlined above will begin.

(Other)

2. After each of the Waiting List(s) is updated based upon the Reply Cards received, an acknowledgement letter (**Exhibit K**)  will  will not (Check the one that applies) be sent to each applicant. It is the applicant's responsibility to notify the Management office of any change in Address, Telephone Number or Telecommunications Device for the Deaf (TDD) number (if applicable).
3. If it is determined an applicant failed to respond to a Waiting List update due to a disability and as such, the applicant was either removed or lowered on the Waiting List, the applicant must be reinstated at the original place on the Waiting List.

## **E. Closing and Re-opening the Waiting List**

### **1. Closing the Waiting List**

The Waiting List for the Development will be closed when the following occurs:

- i.
- ii.
- iii.
- iv.

When Management decides to close the Waiting List, future applicants will be advised that the Waiting List is closed, and additional applicants will not be taken. Once Management decides to no longer accept applications, a notice to that effect will be published in the following publication(s):

- i.
- ii.
- iii.

iv.

The notice must state the reasons for Management's refusal to accept additional applications.

## **2. Re-opening the Waiting List**

Prior to each re-opening of the Waiting List, a notice announcing the re-opening and providing information on the rules regarding how, when, and where to apply, will be placed in the advertisements/publications listed below:

Note: IHDA now requires all Tenant Selection Plans to include [ILHousingSearch.org](http://ILHousingSearch.org), a housing locator resource for marketing purposes. Include a screen shot of the "Property Profile" with the Tenant Selection Plan as evidence of enrollment.

The Waiting List will be re-opened once the following occurs:

i.

ii.

iii.

iv.

## **3. Affirmative Marketing Plan Requirements**

Management will affirmatively market the Development in its outreach efforts during the re-opening of the Waiting List. Management will provide a copy of the Affirmative Fair Housing Marketing Plan to applicants upon request for review.

# **V. THE (INTERVIEW) SCREENING PROCESS**

## **A. Application Requirements**

The following information will be used to determine program eligibility for anyone who is seeking housing at the Development.

Live-in aides, new household members and police officers, security personnel or managers residing in HUD subsidized units will be subject to the same screening for drug abuse and other criminal activity applied to other applicants.

1. The head of household must complete a written application certifying the accuracy of all information that is provided. The applicant will be provided with the appropriate disclosures concerning the [Privacy Act \(5 U.S.C. § 552a\)](#). In addition to providing applicant(s) the opportunity to complete applications at the Development, Management may also send out and receive applications by mail. Management shall accommodate persons with disabilities who, because of their disabilities, cannot utilize the Management's preferred application process by providing alternative methods of taking applications.
2.  A credit report will be ordered.  
 A credit report will not be ordered.
3.  A criminal background search will be obtained.  
 A criminal background search will not be obtained.
4. Verification of employment, income, bank accounts, and other assets, etc. is required as applicable for each applicant.
5. Verification of previous housing for \_\_\_\_\_ years is required. This will include references from previous landlords. If applicable, it will also include verification for those who were homeowners or lived with parents or guardians. Applicants will not be rejected solely for a lack of rental history.
6. Verification of Social Security Numbers **for all members** of the household is required.
7. **Section 811 PRA ONLY** – All household member(s) 18 and older will be screened using the Enterprise Income Verification (EIV) Existing Tenant Search to determine if any household member is currently receiving rental assistance. [The EIV & You Brochure](#) further explains this requirement.
8. Other:

## B. Home Visits

- Home Visits will be conducted to inspect the current dwelling of the applicant to determine that the housekeeping practices

are acceptable. Details of this process are outlined in (**Exhibit L**). Home Visits will be conducted for all applicants who reside within \_\_\_\_\_ miles of the Development. Home Visits will be conducted for every applicant household reaching the final stages of the approval process.

Home Visits will not be conducted.

### **C. Completion of Application Process**

All applications will be processed within thirty (30) days after the date of the applicant's initial interview or within five business days of receipt of all required documentation, whichever is later (*excluding weekends and designated federal holidays*).

## **VI. ELIGIBILITY REQUIREMENTS**

### **A. Income**

The annual gross income of the applicant(s) must be equal to or less than the Income Limit established by the applicable program's administrative rules for the appropriate household size.

### **B. Date of Birth**

Dates of birth must be disclosed for all household members.

### **C. Social Security Numbers**

The head of household/spouse/co-head must disclose Social Security Numbers (SSN) for all household members. An explanation of acceptable documentation is provided in Addendum 1.

\*Note: For household members without a SSN living in properties that do not require tenants to be citizens, you should enter the 9-digit code "000-00-0000" in place of a SSN.

### **D. Student Eligibility Requirements (Tax Credit Only)**

Households consisting entirely of full-time students are not eligible for Tax Credits unless the household is income eligible and one or more of the following exceptions applies to the household:

1. All members of the household are married (they do not need to be married to each other) and are entitled to file a joint return.



2. The household consists of single parent(s) and their child/ren, and no other household member is a dependent of a third-party.
3. At least one member of the household receives assistance under Title IV of the Social Security Act (i.e. TANF).
4. At least one member of the household is participating in an officially sanctioned job training program.
5. At least one member of the household was formerly in foster care.

\*Note: Full-time student status for the purpose of the LIHTC program include regular attendance at such facilities for five or more months during the calendar year in which the taxable year for the taxpayer begins.

In 2013, HUD revised regulations governing the HOME program and decided that HOME funded properties should follow HUD's student restrictions.

#### **E. Student Restrictions for HUD/HOME Programs**

A household is not eligible for occupancy if the household contains a full or part-time student at an institution of higher education and each of the following statements are true for the student:

1. Is under the age of 24
2. Is not a veteran of the United States military
3. Is unmarried (if married, the couple cannot live apart from each other)
4. Does not have a dependent child who resides with the household member at least 50% of the time.
5. Is not a person with disabilities receiving Section 8 assistance as of November 30, 2005
6. Is not otherwise individually eligible or has parents who (individually or jointly) are not income-eligible to receive Section 8 assistance, unless the student can demonstrate his or her independence from his/her parents
7. Not residing with parents who are receiving or applying for Section 8 assistance

#### **VII. OCCUPANCY STANDARDS**

The unit must have enough space to accommodate the household. Occupancy standards must comply with federal, state, and local occupancy standards, and/or laws in connection with occupancy requirements, fair housing, and civil rights laws, as well as landlord-tenant laws and zoning restrictions.

1. To determine the unit size for which a household may be eligible, the following will be counted as members of the household:

- a. Full-time household members
- b. Unborn children
- c. Children in the process of being adopted
- d. Children whose custody is being determined
- e. Foster children
- f. Children temporarily in a foster home
- g. Children in joint custody 50% of the year or more
- h. Children away at school but home for recess
- i. Live-in aides
- j. Foster adults

The Occupancy Standards for the development are:

- 2. Upon request, an applicant or tenant may be placed on as many of the Development's Waiting List that the household size qualifies.
- 3. A household may be required to provide proof of custody of related or unrelated occupants to be considered for a change in unit size.

## **VIII. SECURITY DEPOSITS**

If applicable, a security deposit equal to one month's total tenant payment or tenant rent will be collected. The security deposit must be paid upon signing the lease for the unit. The amount of the security deposit established at move-in does not change when a tenant's rent changes.

**\*Note:** The Owner may collect the security deposit on an installment basis ([HUD Handbook 4350.3, rev.1 Chapter 6, Section 2](#)).

## **IX. REJECTION CRITERIA**

The ability of the applicant to fulfill Lease obligations will be considered. An applicant may be rejected for one or more of the following reasons:

### **A. Insufficient/Inaccurate Information on Application**

Refusing to cooperate fully in all aspects of the application process or supplying false information will be grounds for rejection.

## B. Credit and Financial Standing

1. Unsatisfactory history of meeting financial obligations (including, but not limited to timely payment of rent, outstanding judgements, or a history of late payment of bills) will be considered. If an applicant is rejected based on the credit report, they will be provided with the reasons for rejection and given the name of the credit bureau that performed the credit check. Applicants will also be given the name of the credit bureau that performed the credit check. Applicants will also be given two weeks to dispute any information on the credit report.
2. The inability to verify credit references may result in rejection of an applicant. Special circumstances will be considered in which credit has not been established (income, age, marital status, etc.) and lack of credit history will not cause an applicant to be rejected. In such circumstances, a person with a history of creditworthiness may be required to guarantee the Lease.
3. The applicant's financial inability to pay his/her monthly contribution toward the rent of the unit may be assessed. Ordinarily, the total of the applicant's monthly contributions plus other long-term obligations (payments extending more than twelve months) should be less than % of their monthly gross income. Income ratios may be considered in the context of the applicant's credit and employment history and potential for increases in income.

## C. Criminal Convictions/Current Drug Use

1. Applicants who fall into the following categories will be rejected:
  - a. any household in which any member uses marijuana, or whose use of marijuana, or current addiction to or engagement in the illegal use of a controlled substance interferes with the health, safety or right to peaceful enjoyment of the premises by other residents will be denied admission and, if an occupant, will be subject to termination of tenancy. **\*See note at the bottom of this paragraph.**
  - b. any household containing a member(s) who was evicted in the last three years from housing for drug-related criminal activity. Exception: if the evicted household member has successfully completed an approved supervised drug rehabilitation or the circumstances leading to the eviction no longer exist (e.g. the household member no longer resides with the applicant household).
  - c. any household member that is subject to a state sex offender lifetime requirement. In order to comply with this provision, a criminal

background check will be conducted on all applicants over the age of 18 that includes a check of all state sex offender registration program lists, or a national registration list that includes the information from all states.

- d. any household member for whom 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 tenants. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.
2. Applicants who fall into the following categories may be rejected. In addition, if other persons that will be living in the unit fall into these categories, the applicant may be rejected.

The Owner shall ensure that the relevant "reasonable" time- period is uniformly applied to all applicants in a non-discriminatory manner and in accordance with applicable local fair housing and civil rights laws.

- a. criminal convictions that involved physical violence to persons or property or endangered the health and safety of other persons within the last                    year(s).
- b. criminal convictions in connection with the manufacture or distribution of a controlled substance within the last            year(s); or
- c. Other:

**\*Note:** Developments with federal funding must adhere to the 2014 HUD Memorandum for Multifamily Assisted Properties titled, [Use of Marijuana in Multifamily Assisted Properties](#), which "categorizes marijuana as a Schedule 1 substance and therefore the manufacture, distribution, or possession of marijuana is a federal criminal offense. Because the CSA prohibits all forms of marijuana use, the use of "medical marijuana" is illegal under federal law even if is permitted under state law."

#### **D. Household Characteristics**

Household size or household characteristics were not appropriate for the specific type of unit available at the time of application.

## E. Unsanitary Housekeeping

- Housekeeping will be considered because Home Visits are conducted. Housekeeping criteria is not intended to exclude households whose housekeeping is only superficially unclean or disorderly if such conditions do not appear to affect the health, safety, or welfare of other tenants.
- Housekeeping will not be considered because Home Visits are not conducted.

## F. Exception to Rejection Criteria

The Development has adapted the following policy regarding Extenuating Circumstances:

Extenuating circumstances will be considered in cases when applicants would normally be rejected. The applicants will have to provide in writing, the circumstances under which they would be considered an acceptable tenant in the future.

**If the applicant is a person with disabilities, Management must consider extenuating circumstances in matters involving Reasonable Accommodation.**

**Note:** Additional references include the Guidance for PHA's and Owners of Federally Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions, [HUD Notice H-2015-10](#) dated November 2, 2015. Additionally, [HUD Memo dated April 4, 2016](#), Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate Related Transactions.

## X. REJECTION PROCEDURES

### A. Written Notification

Each rejected applicant will be promptly notified in writing of the reason(s) for rejection (Exhibit M). This notice will advise the applicant that they may, within 14 days of receipt of the notice (excluding weekends and designated federal holidays), respond in writing or request to meet with Management to discuss the notice.

### B. Review of Rejected Applications

Meeting with the applicant or review of the applicant's written response will be conducted by a member of Management's staff who did not participate

in the initial decision to reject the applicant.

If the applicant appeals the rejection, the applicant will be given a final written decision from Management within five-days (*excluding weekends and designated federal holidays*) of the applicant's written response if it does not change the outcome of the rejection. If the response needs further discussion, a meeting will be scheduled, and the applicant will be notified within five-days. If the decision is reversed, the applicant will be offered a suitable vacant unit. If no such unit is available, the applicant will be offered the next appropriate unit.

## **XI. SPECIAL OCCUPANCY CATEGORIES**

Applicants will be interviewed and processed as authorized in Sections V through VIII, with exceptions made as follows:

### **A. Persons with Disabilities**

An applicant with disabilities will be given priority for an accessible unit if such applicant deems that this type of unit is appropriate for their household.

If the household determines that the accessible unit is not appropriate for the household's needs, the household's name will be returned to its place on the Development's Waiting List, as applicable.

## **XII. AMENDING THE TENANT SELECTION PLAN**

This Plan may be amended only with the prior written approval of the Illinois Housing Development Authority.

## **XIII. CERTIFICATION**

By signing this Plan, Management certifies that the contents of this Plan will be followed as written, and that no other Tenant Selection Plan has been executed for the Development at this time, or will be executed in the future without written approval from the Illinois Housing Development Authority.

Counterparts and Electronic Signatures. This Plan may be executed in counterparts, each of which shall be deemed an original, and all which together shall constitute one and the same instrument. A signed copy of this Plan transmitted by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Plan.

This Plan is acknowledged and agreed to.

**MANAGEMENT:**

Organization Name:

Signature:

Print Name:

Title:

Dated:

**OWNER:**

Organization Name:

Signature:

Print Name:

Title:

Dated:

This Plan has been reviewed by IHDA as of this      day of      , 20      .

**ILLINOIS HOUSING DEVELOPMENT AUTHORITY:**

Signature:

Print Name:

Title: