

**Osawatomi Court Apartments, LLC**  
**Tenant Selection Plan**  
**(Effective 1/1/2011)**

1. Each prospective tenant must complete an application packet and submit it to Osawatomi Court Apartments ("OCA"). Applications will be reviewed for eligibility for residency at OCA based on the restrictions of the HUD funding, including the following:
  - A household where the head, spouse, or co-head is 62 years of age or older. Any applicable eligibility waivers are added to and made a part of this TSP.
  - The gross annual household income must be less than 50% of the median income for Miami County, Kansas. Any applicable eligibility waivers are added to and made a part of this TSP.
  - The unit at OCA will be the family's only residence.
  - All members of an applicant family who are at least 18 years of age and each family head and spouse regardless of age must sign HUD-required consent forms so that OCA can verify sources of family income and family size. A family is not eligible for admission if the family members refuse to sign applicable consent and verification forms.
  - A household containing a member(s) who was evicted in the last three years from federally assisted housing for drug-related activity, will not be considered for admission.
  - A household in which any member is currently engaged in illegal use of drugs or for which OCA has reasonable cause to believe that a member's illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents, will not be considered for admission.
  - Any household member who is subject to a state sex offender lifetime registration requirement, will not be considered for admission.
  - Any household member will not be considered for admission if there is a reasonable cause to believe that the member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents.

- A household will not be considered for admission if any household member is currently engaging in, or has engaged in, any of the following activities during a period of twenty-five years before the admission decision:
  - Drug-related criminal activity;
  - Violent criminal activity; or,
  - Other criminal activity that threatens the health, safety, and/or right to peaceful enjoyment of the property by other residents or the health and safety of OCA, or employees, contractors, subcontractors, or agents of OCA.
  
- All household members must be U.S. citizens or eligible non citizens. Each family member regardless of age must provide the following documentation:
  - From U.S. citizens, a signed declaration of citizenship. OCA may require verification of the declaration by requiring presentation of a U.S. birth certificate or a U.S. passport.
  - From noncitizens 62 years and older, a signed declaration of eligible noncitizen status and proof of age.
  - From noncitizens under the age of 62 claiming eligible status: a signed declaration of eligible immigration status; a signed consent form; and, a DHS – approved document.

Noncitizen students and their noncitizen families are not eligible for assistance.

- The head of household/spouse/co-head must provide Social Security numbers (SSNs) for all family members at least six years or older. If no SSN has been assigned to a particular family member, the applicant must sign a certificate stating that no SSN has been assigned.

The applicant must provide documentation of SSNs. Adequate documentation means a Social Security card issued by the Social Security Administration or other acceptable evidence of the SSN, as follows:

- o Bank statement
- o Driver's license with SSN
- o Earnings statements on payroll stubs
- o Life insurance policy
- o Identification card issued by a federal, state, or local agency, a medical insurance provider, or an employer or trade union.
- o Form 1099 Benefit award letter
- o Retirement benefit letter
- o Court records

When an applicant has a SSN but does not have the required documentation, the applicant may submit the SSN and certify that the number is accurate but that acceptable documentation could not be provided. However, an applicant may not move into OCA unless the applicant submits the required SSN documentation to OCA. The applicant must provide SSN documentation to OCA 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 will be determined ineligible.

Eligibility of Students Enrolled in an Institute of Higher Education Applying for Assistance under the Section 8 Program:

No assistance will be provided under Section 8 to any individual who:

- o Is enrolled as a student at an institution of higher education, as defined under section 102 of the Higher Education Act of 1965;

- o Is under 24 years of age;
- o Is not a veteran of the U.S. Military;
- o Is unmarried;
- o Does not have a dependent child; and,
- o Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive Section 8 assistance.

Any financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965, as amended, from private sources or an institution of higher education shall be considered income to that individual, except that financial assistance described above is not considered annual income for persons over the age of 23 with dependent children.

2. When there are no vacant and available rental units, eligible applications will be placed on a waiting list. The waiting list may be closed when the average wait is one year or more. If this should occur, a notice will be published in the Osawatomie Graphic and posted at 405 Carr Avenue, Osawatomie, Kansas announcing the closing and opening of the waiting list. To meet the objective of rent not less than 40% of the units to households with incomes at or below 30% of median for their household size, any extremely low-income households (30% of median) who have applied for renting a unit will be served first whenever the percentage of residents with extremely low incomes is less than 40% of all residents. OCA will first offer an accessible unit to current tenants. OCA will then offer the accessible unit to those on the waiting list who need an accessible unit before offering it to current residents or other applicants who do not need the features of an accessible unit.
3. When a unit will be available in the near future, OCA will contact the applicant for an interview per HUD requirements. A few of the items discussed are the following:
  - Confirm and update information on the application
  - Review screening process

- Explain verification procedures and penalty for false information
  - Explain program requirements
  - Obtain signatures
4. If an applicant is eligible for residence in OCA under HUD requirements, he/she is screened for suitability. The screening is completed to provide objective information on the probability that the potential renter will abide by the terms of his or her lease, pay rent on time, take care of the property and his or her unit, and permit other residents to peacefully enjoy their homes. The following standards are used in screening eligible applicants:
- Because all units are one-bedroom units, households are limited to no more than two people per unit.
  - An applicant's credit history is reviewed, in order to determine how well the applicant meets his/her financial obligations and whether the applicant has the ability to pay rent on time. OCA generally focuses on credit activity for the past five years.
  - Income is reviewed to assess the applicant's ability to pay the rent.
  - Previous landlords are contacted and household members are reviewed to determine if the household members have a history of abiding by the requirements of their lease including:
    - Maintaining their living units in reasonable condition,
    - Not damaging their units,
    - Only keeping pets within the restrictions of their lease, and
    - No history of incidents that could harm or threaten neighbors or infringe on their neighbors' rights to peaceful enjoyment of their housing (for example, threatening and violent confrontations with neighbors or others and multiple reports of problems such as excess noise that disturbs neighbors).

- OCA may require an applicant to exclude a household member when that member's past or current actions would prevent the household from being eligible.
  - When screening applications, OCA may consider whether the appropriate household member has completed a supervised drug or alcohol rehabilitation program. OCA may require appropriate documentation of the successful completion of a rehabilitation program.
  - If an applicant has a pet, the type and size of pet is reviewed (must not be of a type considered dangerous, such as a pit bull, trained guard dog, etc.). The health records for the pet will be reviewed to verify that it has been neutered and has required inoculations. The behavior history of the pet will be reviewed to determine if the pet has a history of being disruptive to neighbors or has caused damage in previous units rented by the applicant. Assistance/service animal inoculations and behavior will be reviewed.
  - OCA may visit an applicant's current dwelling to assess the applicant's housekeeping habits.
5. If an applicant is not approved, OCA will provide the applicant a written notice of rejection that will include the reason(s) for the rejection, and notice of the applicant's right to respond to OCA in writing or request a meeting within 14 days to dispute the rejection.

Any meeting with the applicant to discuss the applicant's rejection will be conducted by a member of the OCA Board of Directors who was not involved in the initial decision to deny admission.

Within five business days of the OCA response or meeting, OCA will advise the applicant in writing of the final decision on eligibility.

6. OCA will show eligible and suitable potential residents any available unit that they wish to see. During the marketing period, while a unit is still occupied, unit showings are scheduled at a time that is acceptable to the existing resident, when feasible, with a 24 hour notice to the existing resident of a scheduled showing.

7. OCA will not discriminate against an applicant based on his or her race, color, sex, religion, familial status, disability, handicap, national origin, or age (except for eligibility requirements). OCA will comply with Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, the Fair Housing Act, as amended, and any other applicable fair housing law.

OCA will make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling unit, including public and common use areas. The accommodation that a person asks for must be related to his or her disability.

An applicant or tenant is not entitled to receive a reasonable accommodation unless he/she requests one. The request can be made orally or in writing. It will be useful if the request is in writing, in order to reduce the chance of misunderstanding. If an applicant needs help in completing the application, he/she should contact OCA's Office Manager.

A request for reasonable accommodation may be denied if providing the accommodation is not reasonable - i.e., if it would impose an undue financial and administrative burden on OCA or it would fundamentally alter the nature of OCA's operations. The determination of undue financial and administrative burden will be made on a case by case basis involving various factors, such as the cost of the requested accommodation, the financial resources of OCA, the benefits that the accommodation would provide to the requester, and the availability of alternative accommodations that would effectively meet the requester's disability-related needs.

OCA will discuss with the requester whether there is an alternative accommodation that would effectively address the requester's disability related needs without a fundamental alteration to

OCA's operation and without imposing undue financial and administrative burden. If there is an alternative accommodation that would effectively meet the requester's need and is reasonable, the OCA will grant it.

In response to a request for a reasonable accommodation, OCA may request reliable disability-related information that (a) is necessary to verify that the person has a physical or mental impairment that substantially limits one or more major life activities, (b) describes the needed accommodation, and (c) shows the relationship between the person's disability and the need for the requested accommodation.

Refer to HUD Handbook 4350.3 Rev-1, Chapter 4 for detailed requirements.