

TENANT SELECTION PLAN

Gwinnett Christian Terrace

414 Berkmar Way

Lilburn, GA 30047

April 2020



PROJECT PREFACE

Decatur Church of Christ Senior Housing, Inc. is a Georgia based non-profit corporation. It owns **Gwinnett Christian Terrace**, a 125 unit apartment complex in Lilburn GA. The purpose of this equal opportunity housing facility is to provide affordable housing for low, very low and extremely low income elderly and disabled individuals and families through the **Department of Housing and Urban Development's Section 202 and Section 8 New Construction** programs.

GENERAL INFORMATION

Residency is open to all qualified eligible elderly and disabled persons in accordance with the **Fair Housing Act** which prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability and familial status. Residency is also in accordance with **Title VI of the Civil Rights Act of 1964** which prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance from **HUD**. Finally, **Section 504 of the Rehabilitation Act of 1973** prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance from **HUD**.

Gwinnett Christian Terrace will make "reasonable accommodations and modifications" to individuals whose disabilities so require in accordance with **HUD** regulations and management policies. This includes exceptions to the application process and residency period. For more information please refer to management's **Section 504 policy**.

A person, in order to be a tenant at **Gwinnett Christian Terrace**, must be capable of fulfilling the lease requirements. This means that the applicant must be able to meet all of his/her personal needs and be able to fulfill the lease obligations with or without assistance. **Gwinnett Christian Terrace** does not provide, nor has the authority to provide, any care or supervision services, does not accept or retain tenants who demonstrate any level of need for care and supervision services that cannot be provided by the tenant or aides supervised by the tenant, and does not promise to make available in the future any assistance with personal activities of daily living. **Management** will be happy to provide any applicant or tenant with a list of outside "providers" who deliver these services in the community.

All potentially eligible, qualified applicants will be considered in accordance with the marketing procedures of the **HUD-Approved Affirmative Fair Housing & Marketing Plan (HUD Form 935.2)**. All applicants must comply with any applicable admissions requirements in revised **HUD Handbook 4350.3** (including all changes).

Gwinnett Christian Terrace has adopted a **Language Assistance Plan** in which is explained the rights of applicants and residents to free translation services for oral and written communications. This Plan is available for review upon request.

The local **Section 8 Income Limits** apply to this property and applicants must meet specific income restrictions to be eligible for housing.

Gwinnett Christian Terrace reserves the right to alter their Tenant Selection Plan at any time. In the event of this, **Gwinnett Christian Terrace** will provide proper written notice of changes to applicants.

PREFERENCES

Gwinnett Christian Terrace has permanently suspended **Federal Preferences**, in accordance with **HUD** directives. Preferences affect only the order of applicants on the

waiting list. They do not make anyone eligible who was not otherwise eligible, and they do not change management's right to adopt and enforce tenant screening criteria.

Gwinnett Christian Terrace has adopted the following preferences which may impact the order in which applicants are offered units:

Residency Preference - Gwinnett Christian Terrace has been approved by HUD to adopt a residency preference for applicants living or working in an area within the expanded census tracts in and around the **City of Lilburn**.

Veterans - include individuals who served in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable."

ADMISSIONS

Applications will be processed on a first-received, first-reviewed basis, based on the date and time that the completed and signed application is received by management of **Gwinnett Christian Terrace**. Admission to **Gwinnett Christian Terrace** is limited to those applicants whose income meets the "**Section 8**" **Income Limits** for this area.

40% of the **Section 8** units that turnover in a year, and are rented to applicants on the Waiting List, must be made available to applicants who meet the "extremely low" income (30% of median) limits. This may be accomplished by renting every other available unit to an extremely low applicant/family, beginning with an extremely low applicant/family each year (please refer to **ELI Procedures** for more information).

To live at **Gwinnett Christian Terrace** an applicant must be:

- An eligible elderly individual or family (See **Definitions**); or
- An eligible disabled (handicapped) individual or family (See **Definitions**). This includes a **project eligible nonelderly disabled family**. A **project eligible nonelderly disabled family** is only eligible for housing in an accessible unit **AND** requires the accessibility of the unit.

Gwinnett Christian Terrace will first assign units to in-place tenants who have a demonstrated need for a change in housing before offering units to an applicant on the Waiting List. This will be done in chronological order, based on the date of the notification of the site management of the new need.

PROCEDURES FOR APPLYING FOR HOUSING

All persons/families interested in applying for housing at **Gwinnett Christian Terrace** must comply with the following requirements to be "considered for housing"

- Applications may be picked up during the business hours Monday through Friday or mailed at the request of an interested party. Applications will be reviewed during the applicant interview. Allowances will be made for persons with mobility impairments or who live out-of-state.
- Applicant must list all family members who will reside in the unit.
- Applicant(s) must meet certain credit/criminal report standards. A credit/criminal report will be run on the applicant(s) by the **management** company.
- Show ability to meet financial obligations in a satisfactory manner, and on time.
- List monthly obligations, including current utilities.
- Provide good/acceptable references from all landlords, both current and previous, listed on the application and in credit bureau files.
- Show that the applicant has the ability to fulfill all the lease requirements (with or without care assistance) where applicable.
- Satisfactory housekeeping habits that will not jeopardize the health, security or welfare of other residents.
- Provide proof of citizenship or immigration status for household members as well as social security numbers for members of the family six years of age and older.

All of this information will be verified in accordance with **HUD Regulations and Requirements**, as stated in **HUD Handbook 4350.3**. Applicants will be required to sign appropriate forms authorizing **management** to verify any and all factors that affect the applicant's eligibility or the rent that the applicant will pay. All of this information may be released by **HUD** or other Federal, State and Local Agencies.

In the event the applicant is personally unable to complete the form, the applicant must be present to provide the information to someone assisting in completing the form. The person assisting the applicant must sign and date the application, indicating that it was completed at the direction of the named applicant, and provide identification to management.

INTERVIEWS

When the applicant completes the original application, the application will be preliminarily reviewed. The initial review will be for application completeness, to make sure that the application is legible and to determine, on the surface, if the applicant appears to qualify for the **Section 8 Program**. This in no way means that an applicant qualifies, or is eligible. Eligibility can be confirmed only after all items which may have any bearing on the rent that the applicant may pay or subsidy he/she may receive are verified: income, assets, family composition, etc. Only after all verifications are received and screening completed can the applicant be determined eligible to be offered housing.

As an applicant's name approaches the top of the Waiting List, or when an applicant is being offered housing, a formal interview will be scheduled. At the time the applicant is interviewed, all items on the application will be discussed and confirmed. Verification forms will be signed by the applicant authorizing **management** to verify all of these issues/items. Until all items are verified eligibility cannot be determined nor any housing offered. **Management** must make an attempt to verify all factors with "third party" written verification, per **HUD Regulations and Procedures**.

In the absence of third party verification within 14 days after attempting third party verification, and no response being received, **management** will use "Review of Documents" to verify items/issues in accordance with the **HUD Handbook 4350.3**.

WAITING LIST

Any applicant who appears to qualify after **Gwinnett Christian Terrace** reviews the application, but before any information is formally verified and, for whom a unit is not currently available, will be placed on the Waiting List. The applicant is informed of the approximate wait for a unit. It is the applicant's responsibility to report changes on the application to **Gwinnett Christian Terrace** in a timely fashion.

Any applicant on the Waiting List is required to contact **Gwinnett Christian Terrace** every six (6) months to update their information, by completing a revised application form when necessary. This contact must be done in the form of writing. Management would prefer no phone calls. Contact may be initiated by **Gwinnett Christian Terrace** in the form of a routine letter/postcard, sent to all applicants on the Waiting List, requesting update information, asking if they wish to remain on the Waiting List and stating that if the letter is not responded to within fourteen (14) days, their name will be dropped from the Waiting List without further notice. However, **management** will make one (1) more attempt to contact by phone (if possible) or by mail before permanently removing them from the Waiting List.

When the number of names/families on the Waiting List for any particular size exceeds the annual apartment turn over for that type/size unit, the Waiting List may be closed. During times when the waiting list is closed for a particular type/size unit, no applications will be accepted. A notice will be prominently posted in the Management/rental office or reception area, stating that the Waiting List is closed. When the Waiting list is to be

reopened, notifications will be sent to appropriate social service agencies, (including, but not limited to elderly, mental health and community service agencies) stating when the Waiting List will be re-opened, as well as times and days that applications will be taken. This is done in accordance with the **AFHMP (HUD Form 935.2)**.

- If an applicant on the Waiting List is offered an apartment and refuses the offered apartment, he or she may remain on the Waiting List if the refusal is for a verifiable medical reason. Any other refusal reasons are considered valid reasons for refusal at **management's** discretion, for example family emergency, illness, notice to current landlord, etc. In any event, a second refusal, for any reason other than one due to a disability, will cause the application to be rejected and the applicant's name removed from the Waiting List. This applicant may reapply in the future, at a time that applications are being taken.
- When a unit becomes available, in-place tenants requiring a different unit will be housed appropriately before we move in an applicant on the Waiting List. This allows **management** to treat current tenants having the greatest housing need prior to applicants on the Waiting List. In this manner, we are able to avoid displacing, through any action, current tenants whose housing needs have changed since admission.
- Applicants who are experiencing hardships due to health or financial reasons will not be moved from their original date on the waiting list if proper documentation is received by **management**.

Applicants on the Waiting List will be offered units in an order based upon HUD's income targeting requirements and Gwinnett Christian Terrace's adopted preferences and then the sequential order of the Waiting List.

ELI PROCEDURES

If **management** determines that following **Gwinnett Christian Terrace's** waiting list in standard chronological order may not (or will not) achieve the admissions necessary to meet the income-targeting requirement, then management must implement procedures that will ensure compliance.

Management will implement the procedure of alternating between the first extremely low-income (ELI) applicant on the waiting list and the applicant at the top of the waiting list. To implement this method, management will select the first extremely low-income applicant on the waiting list (which may mean "skipping over" some applicants with higher incomes) for the available unit, and then select the next eligible applicant currently at the top of the waiting list (regardless of income level) for the next available unit. As subsequent units become available, tenant selection continues to alternate between the next extremely low-income applicant and the eligible applicant at the top of the waiting list until the 40% target is reached.

REJECTION AND APPEAL PROCEDURES

When an application is rejected by **management**, the applicant will be notified of this decision in writing. This written statement, which will be sent in a timely fashion, will include the reason(s) for the rejection, and state that the applicant has the opportunity to request a meeting with the **management** to discuss the rejection or to dispute the accuracy and relevance of any information obtained during the screening process upon which the rejection was based. The applicant will be offered the opportunity to request reconsideration or appeal of the rejection decision by submission of written material or during an informal meeting with Gwinnett Christian Terrace. Attached to the rejection letter will be a copy of the information the rejection was based upon.

If the applicant wants to request reconsideration and/or request an appeal meeting, the applicant's written request must be sent to **Gwinnett Christian Terrace** within fourteen (14) days of the date of the rejection notice. The requested meeting will be held by a staff member who was not involved in the initial decision to deny admission or assistance. Within five (5) business days after the applicant's submission of information or after the requested meeting, **management** must advise the applicant in writing of the final decision on eligibility. All material (original application, rejection letter, applicant's request for reconsideration or a meeting, summary of the meeting and the final decision) must be kept for three (3) years in confidential files.

UNIT SIZE STANDARDS AND GUIDELINES

- Minimum of one person per bedroom; maximum of two persons per bedroom.
- Children of the same sex can share a bedroom.
- Children may share a bedroom with a (grand)parent. This is a family decision.
- When assigning bedrooms, every family member listed on the 50059 or application is counted.

- ❖ An unborn child may be counted for occupancy but not eligibility determination.
- ❖ Live in attendants and foster children are counted when determining bedroom size.
- ❖ Children who live in the unit 50% of the time may be counted.

- ❖ Children away at school, who live with the family when school recesses, may be counted.

Gwinnett Christian Terrace will accommodate the changing needs of the in-house tenants because of increases in the number of family members or changes in the family composition, before going to the Waiting List.

ACCESSIBLE UNITS

Gwinnett Christian Terrace has twelve (12) units that are architecturally designed for accessibility. Elderly and Nonelderly applicants and residents with someone in the family who needs the architectural features have a priority to live in these units. If the need for the accessibility features are not observable, the need must be verified with a medical practitioner. Units designed for disabled persons will be offered, whenever possible, to a family or individual needing the architectural features present in the unit.

If an accessible unit becomes vacant and no resident or applicant requires that unit type, a non-disabled elderly applicant can be housed in an accessible unit temporarily, and only after signing a statement, that will become a lease amendment, that states that they will move, within 30 days, at their own expense when they are notified by **management**, in writing, that the accessible unit is needed and a standard unit is available.

TRANSFER POLICY

Management will allow in-house transfers, in the following situations:

1. A verifiable medical reason for a different unit, including the need for an accessible unit/accessible features.
2. Transfer from unit due to renovation of previous unit.

Requests for transfers that are based on a need for a reasonable accommodation will be provided priority over other requests. Transfers will be provided to persons who have a medical or other **verified** need because of a disability in the chronological order received. All other transfers will be provided after requests for reasonable accommodations and will occur in chronological order by the date the request was received.

DEFINITIONS

Elderly Family

An Elderly Family includes but is not limited to:

1. Families of two or more persons, the head of which (or his or her spouse) is 62 years of age or older;
2. The surviving member or members of a family described in paragraph (1) living in a unit assisted under subpart E of this part (Section 202 loans) with the now deceased member of the family at the time of his or her death;
3. A single person who is 62 years of age or older; or
4. Two or more elderly persons living together or one or more such persons living with another person who is determined by HUD, based upon a licensed physician's certificate provided by the family, to be essential to their care or well-being.

Disabled Family

A Disabled Family includes but is not limited to:

1. Families of two or more persons the head of which (or his or her spouse) is a person with disabilities (handicapped);
2. The surviving member or members of any family described in paragraph (1) of this definition living in a unit assisted under subpart E of this part (Section 202 loans) with the deceased member of the family at the time of his or her death;
3. A single person with disabilities (handicapped person) over the age of 18; or
4. Two or more persons with disabilities (handicapped persons) living together, or one or more such persons living with another person who is determined by HUD, based upon a licensed physician's certificate provided by the family, to be essential to their care or well-being.

Person with Disabilities

Such a person has a disability, as defined in 42 U.S.C. 423;

Any adult having a physical impairment that is expected to be of long-continued and indefinite duration, substantially impedes his or her ability to live independently, and is of a nature that such ability could be improved by more suitable housing conditions.

Nonelderly Disabled (Handicapped) Family

A nonelderly disabled family means a disabled family in which the head of the family (and spouse, if any) is less than 62 years of age at the time of the family's initial occupancy of a project.

Project Eligible Nonelderly Disabled (Handicapped) Family

A nonelderly disabled person or family who is only eligible for housing through this program in an accessible unit and requires the accessibility features of that unit.

Live In Care Attendant

A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities, and who:

1. Is determined to be essential to the care and well-being of the persons;
2. Is not obligated for the support of the persons; and

3. Would not be living in the unit except to provide the necessary supportive services.

A relative may be a **Live In Attendant** but must meet all of the above requirements, and sign a statement to that effect. **Gwinnett Christian Terrace** will verify this with a physician or recognized health care professional. The sole purpose of a **Live In Attendant** is to provide the tenant with support services and will not qualify for continued occupancy in the event the tenant vacates the unit. **Gwinnett Christian Terrace** may re-verify the need for a **Live In Attendant** when necessary.

PROOF OF CITIZENSHIP OR IMMIGRATION STATUS

All family members, regardless of age, must declare their citizenship or immigration status. **Gwinnett Christian Terrace** is required to verify with the **Department of Homeland Security (DHS)** the validity of documents provided by applicants. Applicants must submit required documentation of citizenship/immigration status no later than the date the owner initiates verification of other eligibility factors. Because of the prohibition against delaying assistance to obtain verification of citizenship/immigration status, owners are advised to implement procedures to verify eligible immigration status in advance of other verification efforts. Assistance in subsidized housing is restricted to the following:

- U.S. citizens or nationals; and
- Noncitizens who have eligible immigration status as determined by **HUD**.

A mixed family—a family with one or more ineligible family members and one or more eligible family members—may receive either prorated assistance, continued assistance, or a temporary deferral of termination of assistance.

Mixed families that were in occupancy and received full assistance prior to the verification of citizenship/immigration status may be eligible for one of three types of assistance:

1. Continued assistance if the family was receiving assistance prior to June 19, 1995);
2. Prorated assistance; or
3. Temporary deferral of termination of assistance.

Mixed families amount of rent and assistance is adjusted based on the number of family members who are eligible compared with the total number of family members. For example if the total amount of prorated assistance would be \$100 for a family of four eligible members, in a mixed family in which three family members of a four member household are eligible, the amount of assistance with be determined by the prorated assistance of $\$100 \times \frac{3}{4}$.

If the applicant cannot supply the documentation within the specified timeframe, **management** may grant the applicant an extension of not more than 30 days, but only if

the applicant certifies that the documentation is temporarily unavailable and additional time is needed to collect and submit the required documentation. Although the extension period may not exceed 30 days, management may establish a shorter extension period based on the circumstances of the individual case.

Management must inform the applicant in writing if an extension request is granted or denied. If the request is granted, management will include the new deadline for submitting the documentation. If the request is denied, management will state the reasons for the denial in the written response.

Currently assisted families that have no eligible members and those that qualify only for prorated assistance and choose not to accept the partial assistance are eligible for temporary deferral of termination of assistance. Please seek **management** for deferral policies.

PROOF OF SOCIAL SECURITY NUMBERS

Applicants must provide documentation of SSNs in order to be eligible for subsidy at **Gwinnett Christian Terrace**. Adequate documentation means a social security card issued by the **Social Security Administration (SSA)** or other acceptable evidence of the SSN. The head of household/spouse/co-head must disclose SSNs for all family members. If no SSN has been assigned to a particular family member, the applicant must sign a certification stating that no SSN has been assigned.

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.

Individuals who have applied for legalization under the **Immigration and Reform Control Act of 1986** will be able to disclose the social security numbers, but unable to supply the cards for documentation. Social security numbers are assigned to these persons when they apply for amnesty. The cards go to the **Department of Homeland Security (DHS)** until the persons are granted temporary lawful resident status.

Until that time, their acceptable documentation is a letter from the **DHS** indicating social security numbers have been assigned.

Management must accept the certification and continue to process the individual's application. However, an applicant may not become a participant in the program unless the applicant submits the required SSN documentation to management. The applicant must provide SSN documentation to management within **90 days** from the date on which the applicant certified that the documentation was not available.

If **management** has determined that the applicant is otherwise eligible for admission into the property, and the only outstanding verification is that of the SSN, the applicant may retain his or her place on the waiting list for the **90-day period** during which the applicant is trying to obtain documentation. After 90 days, if the applicant has been unable to supply the required SSN documentation, the applicant will be determined ineligible and removed from the waiting list (see paragraph 4-20 A).

Management may extend the time period for an additional 90 days if the applicant is at least 62 years old and unable to submit the required documentation within the first 90-day period.

SSNs Not Previously Disclosed and/or Verified:

SSNs must be disclosed and verification provided for any household member(s) who have not previously disclosed a SSN as of January 31, 2010, at the time of the next interim or annual recertification except for those individuals who do not contend eligible immigration status or tenants who are age 62 or older as of January 31, 2010, and whose initial determination of eligibility was begun before January 31, 2010.

Invalid SSN Disclosed.

The head of household must be notified when the EIV Pre-screening Report or the Failed Verification Report (Failed the SSA Identity Test) in EIV identifies that a household member has provided an invalid SSN. Discrepancies identified in the SSN disclosed must be resolved and the correct SSN disclosed, verified and transmitted to TRACS. See Chapter 9, Enterprise Income Verification (EIV).

Assignment of a New SSN.

If a tenant or any member of a tenant's household is or has been assigned a new SSN, the SSN must be disclosed and verification provided to the owner at: a. The time of receipt of the new SSN; or b. The next interim or regularly scheduled recertification; or c. Such earlier time as specified by the owner.

Under the Age of Six Without an Assigned SSN:

The regulation at 24 CFR 5.216 now permits owners to accept applicant households that include an applicant family member who is under the age of 6, who does not yet have a Social Security Number (SSN) assigned to him/her, and was added to the household 6 months or less from the move-in date. As a result of this change, the owner or owner agent (O/A) must no longer deny occupancy to such applicant households.

(1) The tenant must disclose and provide verification of the new household member's SSN within 90 calendar days of the child being added to the household.

(2) The owner must grant an extension of one additional 90- day period, if the owner, in its discretion, determines that the tenant's failure to comply is due to circumstances that could not have been foreseen and were outside the control of the tenant, e.g., delay in processing by SSA, natural disaster, fire, death in family, etc)

(3) During the period that the owner is awaiting disclosure and verification of the SSN, the child is included as part of the household and shall be entitled to all of the benefits of being a household member, including the dependent deduction.

(4) A TRACS ID will be assigned to the child until the time the SSN is provided. At the time of the disclosure of the SSN, an interim recertification must be processed changing the child's TRACS ID to the child's verified SSN.

5) If, upon expiration of the provided time period, the tenant fails to disclose and provide verification of the SSN, the tenant and the tenant's household are subject to termination

of tenancy. The owner shall follow the guidance in Paragraph 8-13.A.6 to terminate the household's tenancy.*

APPLICANT/TENANT PROTECTIONS UNDER THE “VIOLENCE AGAINST WOMEN ACT”

1. The Landlord may not consider incidents of domestic violence, dating violence, sexual assault or stalking as serious or repeated violations of the lease or other “good cause” for termination of assistance, tenancy or occupancy rights of the victim of abuse.
2. The Landlord may not consider criminal activity directly relating to the abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse.
3. The Landlord may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking, Form HUD-5382, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in refusal to grant VAWA rights.

SCREENING\REJECTION CRITERIA

All applicants 18 years of age or older in a household will be screened for rental history, credit and criminal history, and general program eligibility prior to residency. The screening of live-in aides at initial occupancy, and the screening of persons or live-in aides to be added to the tenant household after initial occupancy involve similar screening activities. Both live-in aides and new additions to the tenant household will be screened for drug abuse and other criminal activity. An application may be rejected for any one of the following reasons:

- ♦ The applicant/family is not elderly or mobility disabled and in need of the features of an accessible unit.
- ♦ Submission of false or untrue information on the application, or failure to cooperate in the verification process.
- ♦ The applicant has a history of unacceptable or unsatisfactory credit or criminal history as reported by a credit agency or other organization. *Please see Credit Criminal Screening Criteria for more information.*

- ♦ Negative reference from current or previous landlord, including but not limited to late rent, NSF (non-sufficient funds) checks, lease violations, evictions, etc.
- ♦ The household (including a **Live-In Aide**) size is not appropriate for this unit. *Please refer to **Unit Size Standards & Guidelines**.*
- ♦ Failure to sign designated or required forms and/or documents upon request.
- ♦ The applicant cannot pay the appropriate security deposit at move-in.
- ♦ This will not be the applicant's only residence and he/she will pay an assisted rent.
- ♦ The applicant has repeatedly (more than twice) been offered a housing unit and, for other than a verified medical reason, he/she has refused to take the unit offered.
- ♦ The applicant is not a Citizen, National or eligible non-Citizen (as defined by HUD).
- ♦ The applicant is not capable of fulfilling the lease agreement, with or without assistance.
- ♦ A negative criminal history as defined in the ***Criminal or Drug-Related Activity on page 13***.
- ♦ By HUD formula, the applicant cannot show a need for the subsidy assistance, (where applicable) or the household income exceeds the **HUD** limits. The applicant was unable to provide proof of SSNs as required by HUD and management policy.

CRIMINAL OR DRUG-RELATED ACTIVITY

Upon move-in tenants sign leases requiring them to accept responsibility for the actions of individual household members, their guests, or other persons on the premises with their consent. No tenant, no member of the tenant's family or household nor a guest or any other person visiting a tenant shall engage in criminal activity on or near the apartment complex, including drug-related criminal activity, or other criminal activity or drug and alcohol abuse that threatens the health and safety of the tenants or staff or hinders the peaceful enjoyment of the housing premises. "Drug-related criminal activity" means the illegal manufacture, sale, distribution or use of a controlled substance (as defined in **Section 102 of the Controlled Substance Act**).

No tenant, no member of the tenant's household or family, nor any guest or other person shall engage in any act intended to facilitate criminal activity, drug-related activity on or near the apartment complex.

No tenant, nor members of the tenant's household or family will permit the dwelling unit to be used for, or to facilitate, criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, family or a guest.

No tenant, nor members of the tenant's household or family will engage in the manufacture, sale or distribution of illegal drugs on or near the apartment complex or elsewhere.

No tenant, nor shall any member of the tenant's household or family, guest or other person, engage in acts of violence, including, but not limited to, the unlawful discharge of firearms on or near the apartment complex.

If management of Gwinnett Christian Terrace receives credible information that a resident or household member has a history of criminal activity that may indicate a present threat to the health, safety, or right to peaceful enjoyment of others, management will require the resident or household member to sign a **Criminal History Release Form**. It will be deemed a material violation of these **House Rules** should a resident or household member fail or refuse to return a properly signed and dated release form to management within **twenty-four hours** after being given a copy of such form.

Violation of the above provisions shall be a material noncompliance violation of the lease and good cause for termination of the lease. A single violation of any of these provisions shall be deemed a serious violation and material noncompliance with the lease. It is understood and agreed that a single violation shall be good cause for termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by a preponderance of the evidence.

ENTERPRISE INCOME VERIFICATION

The purpose of HUD's EIV System is to make integrated income data available from one source, via the Internet, for public housing providers to use to improve income verification during required income initial examinations and reexaminations. Gwinnett Christian Terrace will use The Enterprise Income Verification System (EIV) to obtain the following information:

1. Monthly employer new hires
2. Quarterly wages (including employer information), Federal wages are available
3. Quarterly unemployment compensation
4. Monthly social security (SS) and supplement security income (SSI) benefits
5. Existing Tenant Search for individuals who are applying for occupancy.

The EIV system is an integral part of the Rental Housing Integrity Improvement Project, the goal of which is to "ensure that the right benefits go to the right persons". EIV data is only to be disclosed to authorized individuals, and used in connection with the administration of HUD rental assistance programs. Official HUD use includes:

1. Verification of employment and income at recertification
2. Monitoring and auditing Gwinnett Christian Terrace operations
3. Preventing and investigating cases of fraud, waste and abuse in HUD rental assistance programs.

EIV Data may only be disclosed to:

1. Gwinnett Christian Terrace Occupancy Specialist(s) (O/A)
2. Service Bureau that may be employed by Gwinnett Christian Terrace (considered an extension of O/A)
3. Contract Administrator
4. Independent Public Auditors
5. HUD Staff
6. HUD Office of Inspector General for investigative purposes
7. Individual to who the record pertains (at their request)

CREDIT & CRIMINAL SCREENING CRITERIA

Rental Approval:

1. If a prior landlord reported the applicant(s) damaged property or lease violations the application can be denied. This includes lease violations, disturbing the peace, harassment, poor housekeeping habits, improper conduct or other negative reference against the household.
2. Any evictions within the past three years activity is automatically grounds for denial. This includes any household members who have been evicted from Federally-assisted housing within the last three years for drug-related criminal activity. If the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program or circumstances leading to the eviction no longer exist, **Management** will review on a case-by-case basis.
3. We may accept a rental history of no more than two (2) late payments of rent in a six (6) month period, with verification of all charges paid and no more than one (1) NSF check in a one (1) year period. Anything beyond this specification can be grounds for denial.
4. Any evidence of illegal activity including drugs, gangs, weaponry, etc., will be grounds for denial.
5. Grossly unsanitary or hazardous housekeeping habits.
6. Any debt balance owing to a prior management company or housing complex will need to be paid prior to move-in.

7. Lack of rental history is not grounds for denial.

Credit Approval:

1. Applicants with more than 50% of accounts in negative standing within the past two (2) years will be denied. Examples of negative standing are late payments, collections, bad credit status, etc.
2. Public records such as collections and judgments are included as negative accounts.
3. Each bankruptcy item or foreclosure proceeding within the past five (5) years is rated as the worst account and counted individually.
4. Federal and State Tax liens within the past three (3) years are counted as a negative account. Prior to the three (3) year period we may request proof of payment/release on any Lien over \$1000.00 that is still on the applicant's credit history.
5. Financial Aide or School Loans in negative standing are counted.
6. Any amount showing owed to a prior management company can be grounds for denial. We reserve the right to ask for proof of payment.
7. Any other item(s) that appear on the credit report, which would reflect negatively on the applicant, will be reviewed and a decision will be made based on the date, source, and amount of the action.
8. Medical debt is not counted.
9. Lack of credit history is not grounds for denial.

Criminal Background Check:

1. Any conviction or adjudication other than acquittal with the past 5 years for illegal drug use, manufacture or distribution of a controlled illegal substance is grounds for denial.
2. Any conviction or adjudication other than acquittal with the past 10 years for any crime of violence, fraud, theft, or other crime which establishes that the applicant's tendency might constitute a direct threat to the health or safety of other individuals or result in the substantial physical damage to the property of others is grounds for denial.
3. Any conviction for any activity concerning sexual abuse or assault is grounds for denial. This includes, but is not limited to, any member of the household who is subject to a registration requirement under a state sex offender registration program.

4. Any conviction for any activity including murder is grounds for denial.
 5. Any other felony conviction or imprisonment within the past five (5) years.
 6. Any household members who are currently engaging in illegal drug use is grounds for denial. This can include a pattern of illegal drug use that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other tenants.
 7. Any household member who has a pattern of alcohol abuse that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other tenants is grounds for denial.
8. If an application is denied due to a household member's criminal history, the applicant can request a reconsideration and provide mitigating circumstances within 14 days of the denial.

NOTE: All applicants in a household will be processed as one approval or denial for an apartment. If any one of the applicants has negative rental history, negative credit history or negative criminal history all applicants will be denied.

INDEPENDENT STUDENT STATUS

HUD restricts individuals who are seeking Section 8 assistance and are enrolled at an institution of higher learning, under the age of 24, not a veteran, unmarried, and do not have a dependent child from receiving Section 8 assistance. Such individuals are ineligible and unless the student is determined independent from his or her parents upon review and verification of such status or the student is determined independent from his or her parents upon review and the parents are eligible for Section 8 assistance

The financial assistance of the student in excess of tuition will be included in annual income when determining the student's eligibility for Section 8 assistance, unless the student is over the age of 23 with dependent children and the determination of rent is made in accordance with the requirements of the Section 8 program. The financial assistance of a student residing with his or her parents would continue to be excluded from annual income. Management will ensure at each annual recertification that an independent student remains eligible to continue to receive Section 8 assistance.

During the application process, management will appropriately screen applicants and households for eligibility under this rule. An applicant who is a student and who does not meet the income eligibility requirements or jointly, do not meet the income eligibility requirements for Section 8 assistance are not eligible for Section 8 assistance and will be prohibited from participating in the program. A student under the age of 24 who is not a

veteran, unmarried, does not have a dependent child and who is currently receiving Section 8 assistance, if at recertification is determined to be ineligible, will have his/her assistance terminated.

**Students with disabilities receiving Section 8 as of November 30, 2005 are exempt from the Independent Student restrictions on receiving Section 8 rental assistance.

DEFINITIONS

Independent Student

To be classified as an independent student for Title IV aid, a student must meet one or more of the following criteria:

1. Be at least 24 years old by December 31 of the award year for which aid is sought;
2. Be an orphan or ward of the court through the age of 18;
3. Be a veteran of the U.S. Armed Forces;
4. Have legal dependents other than a spouse (for example, dependent children or an elderly dependent parent);
5. Be a graduate or professional student; or
6. Be married.

No assistance shall be provided under Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who:

1. Is enrolled as a either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002);
2. Is under 24 years of age;
3. Is not a veteran of the United States Military;
4. Is not married;
5. Does not have a dependent child;
6. Is not living with his or her parents who are receiving Section 8 assistance;
7. Is not individually eligible, and has parents who, individually or jointly, are not income eligible, to receive assistance under Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f);
8. Is not a person with disabilities, as such term is defined in Section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E) and was not receiving assistance under such Section 8 as of November 20, 2005.
9. In not classified as a Vulnerable Youth. A student meets HUD's definition of vulnerable youth when:
 - i) The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in Section 725 of the McKinney-Vento Homeless Assistance Act), or as unaccompanied, at risk of homelessness and self-supporting, by
 - ii) A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act;

- iii) The director of a program funded under the Runaway and Homeless Youth Act or designee of the director;
- iv) The director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act or a designee of the director or
- v) A financial aid administrator.

**Students with disabilities receiving Section 8 as of November 30, 2005 are exempt from the Independent Student restrictions on receiving Section 8 rental assistance.

For purposes of determining the eligibility of a person to receive assistance under Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher learning (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

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