

TENANT SELECTION PLAN

NoDak Homes
1200 Missouri Ave
Bismarck ND
1-(701)258-7838
TTY: 1-800-366-6888

PROJECT and PROGRAM ELIGIBILITY REQUIREMENTS

- ❖ The property is a "Section 8, subsection 202 housing for intellectually disabled family types. All units on this property are one-bedroom and services are designed for individuals with intellectual disabilities.
- ❖ Assistance in subsidized housing is restricted to U.S. citizens or nationals and non-citizens who have eligible immigration status as determined by HUD. All family members, regardless of age, must declare their citizenship or immigration status. Applicants who hold a non-citizen student visa are ineligible for assistance, as are any non-citizen family members living with the student. Non-citizen applicants will be required to submit evidence of eligible immigration status at the time of application and will be verified through the U.S. Immigration & Customs Enforcement, Systematic Alien Verification for Entitlements (SAVE) Program.
- ❖ Each member of an applicant's household; except those who do not claim to have eligible immigration status or persons who were 62 or older and whose initial determination of eligibility was prior to January 31, 2010, must disclose and provide documentation of Social Security Numbers (SSN) before the household may be housed. All SSN's for an applicant's household must be verified using appropriate documentation before the household can be admitted into the project. SSN's will be verified through the Enterprise Income Verification (EIV) System within 90 days of move-in. *However, they do not need to disclose their SSN in order to be placed on the waiting list.*
- ❖ All family members who are 18 years of age or older are required to sign consent and verification forms. All information reported by the family is subject to verification.
- ❖ The unit must be the family's sole residence. The owner must not provide assistance to applicants who will maintain a residence in addition to the HUD assisted unit. Under no circumstance may any tenant benefit from more than one subsidy. When processing the application the property will conduct an Existing Tenant Search through the Enterprise Income Verification (EIV) System to verify the applicants and/or other household members are not currently residing in subsidized housing.
- ❖ Applicants must agree to pay the rent required by the program under which they will receive assistance.
- ❖ Applicants' gross income must not exceed the HUD established income limits for the property. Income eligible applicants must also need the assistance; the amount the family would be required to pay using the applicable HUD rent formula must be less than the Gross Rent for the unit.
- ❖ Student eligibility requirements apply to applicants enrolled at an institution of higher education who are under 24 years of age, unless the applicant is a student who is living with his/her parents who are applying for Section 8 assistance.

Students who are 24 years of age or over, married, a veteran of the US Military, have a dependent child or is a person with disabilities, as defined in section 3(b)(3)(F) of the United States Housing Act of 1937 (42 USC 1437a (b3E)) that was receiving Section 8 assistance as of November 30, 2005 qualify.

- ✓ If the applicant is legal contract age **and** is not claimed as a dependant on their parent(s) or guardian(s) latest tax return **or** meets the criteria from at least one of following questions, they qualify:
 - Will you be at least 24 years old by December 31 of the current year?
 - Have you established a household separate from parents or legal guardians for at least one year prior to application for occupancy?
 - Were you an orphan or a ward of the court through the age of 18?
 - Are you a veteran of the U.S. Armed Forces?
 - Do you have legal dependents other than a spouse?
 - Are you a graduate or professional student?
 - Are you married?



- ✓ The student must obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.
- ✓ If the applicant is claimed on their parent(s) or guardian(s) latest tax return or does not meet the criteria from at least one of above questions; they must meet eligibility requirements for Section 8 assistance and their parents, individually or jointly, must be income eligible for section 8 assistance.

INCOME ELIGIBILITY REQUIREMENTS

- ❖ HUD establishes and publishes income limits annually based on family size for each county in the United States based on the median income of the geographic area. The family's annual income must not exceed program income limits. Income limits for this property are listed below:

| | |
|----------------------------|------------------------|
| Very low-income limit | 50% of median income- |
| Extremely low-income limit | 30% of median income - |

Income limits are subject to yearly HUD changes

- ❖ Owners must make at least 40 percent of the assisted units that become available each year (project's fiscal year) available for leasing to families whose income do not exceed 30 percent of the area median income (extremely low-income) at the time of admission. If the owner actively marketed at least 40 percent of the annually available units to extremely low-income families but was unable to fill all of the units with families meeting the requirement, the owner is permitted to rent to other eligible families after a reasonable marketing period has expired.

OCCUPANCY STANDARDS

| UNIT SIZE | MINIMUM OCCUPANTS | MAXIMUM OCCUPANTS |
|-----------|-------------------|-------------------|
| 1 Bedroom | 1 | 2 |

- ❖ A total of 28 single rooms under the Housing Assistance Payment (HAP) Contract. Floor plans are the same."

VAWA PROTECTIONS

1. The Landlord may not consider incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy or occupancy of a victim who is protected from acts under the domestic or family violence laws of the jurisdiction.
2. The Landlord may not consider criminal activity directly relating to 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 or Stalking, Form HUD-91066, 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 eviction.

APPLICANT SCREENING CRITERIA

- ❖ All applicants age 18 or older will be screened for suitability prior to residency. Screening criteria will be applied consistently to all applicants, consideration of extenuating circumstances will be considered in the screening process.

- ✓ **Criminal History.** Applicants may be rejected if any of the following apply:

**Note: The same criteria regarding criminal history applies to live-in aides also.*

- Any household member has been evicted from Federally-assisted housing for drug-related criminal activity, for three (3) years from the date of eviction. 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 (e.g., the household member no longer resides with the applicant household) the Owner may, but is not required to, admit the household.
- Any household member is currently engaging in illegal drug use.
- Any member of the household is subject to a lifetime registration requirement or is currently registered under a state sex offender registration program. During the admissions screening process, the Owner will perform the necessary criminal history background checks in the state where the housing is located and in all other states where the household members are known to have resided.
- The Owner determines that there is reasonable cause to believe that a household member's illegal use (or a pattern of illegal use) of a drug or alcohol abuse (or pattern of abuse) of may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. Screening standards will be based on behavior, not the condition of alcoholism. Criminal history may be used to establish a pattern.
- Failure to disclose criminal behavior or provide a complete list of states all members of the household is grounds for rejection or eviction.
- Any member of the applicant's household who has been convicted of using or selling illegal drugs, and/or the manufacture of methamphetamine on the premises of federally subsidized housing.
- Violent criminal activity which indicates a pattern of violence that may threaten the safety of residents or staff. Violent criminal activity includes, but is not limited to, sex crimes, crimes against children, assault and stalking.
- Any criminal activity that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents, the owner or any employee who is in involved in the housing operations.
- Unlawfully obtaining government assistance.

NOTIFICATION OF APPLICANT REJECTION

If an applicant is denied admission to the property they will receive a written notice stating the reason (s) for the rejection. The applicant has the right to respond in writing or request a meeting to dispute the rejection within 14 days of the notice. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process. If admission is denied because criminal background screening indicates the applicant provided false information; the entity making the determination must provide the subject of the record and the applicant a copy of the information the action is based upon. The subject of the record and the applicant have the opportunity to dispute the accuracy and relevance of the information obtained from any law enforcement agency.

APPLICATION and WAITING LIST PROCEDURE

- ❖ The ongoing waiting list is developed and maintained through the Regional Referral process. Regional referral is conducted by the DD Case Management system of West Central Human Service Center, Department of Human Services. Professionals from the provider community review all referrals and make a determination as to the appropriate level or care. Qualifying individuals requesting services are then placed on the waiting list based on their choice of services.
- ❖ If the waiting list is closed or re-opened notice of this action will be published in the local newspaper.



UNIT TRANSFER PROCEDURE

- ❖ Current tenants requiring a unit transfer based on level of care or incompatibility will be given preference over applicants and those on the waiting list.
- ❖ Current tenants requesting a unit transfer for any other reason will be added to the waiting list of applicants.

LIMITED ENGLISH PROFICIENCY (LEP)

For persons who do not speak English as their primary language and those who have a limited ability to speak, read, write, or understand English; we will make reasonable efforts to provide language assistance. We will arrange to provide forms relating to tenancy in a language that is understood by the individual. We will make every effort to obtain oral interpretation and written translation services if deemed necessary.

NON-DISCRIMINATION

The property adheres to the Fair Housing Act and Federal Civil Rights Laws. We will not discriminate against applicants or tenants based on race, color, national origin, sex, age, disability, religion or familial status. In compliance with Section 504 regulations, we will take reasonable, nondiscriminatory steps to maximize the use of accessible units by eligible individuals whose disability requires the accessibility features of a particular unit. We will consider extenuating circumstances in the screening process for applicants with disabilities, where required as a matter of reasonable accommodation. Housing shall be made available without regard to actual or perceived sexual orientation, gender identity, or marital status.

Anyone needing assistance completing the application process, please contact us at:

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