

# TRILLIUM AFFORDABLE HOUSING

*Managed by PHC Property Management*

## TENANT SELECTION PLAN

Revised: 03/27/09

The Trillium Affordable Housing group of multifamily properties, managed by PHC Property Management, house individuals and families without regard to race, color, religion, disability, familial status, national origin or gender. We do not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.

Low-income subsidies are provided by the U.S. Department of Housing and Urban Development (“HUD”) pursuant to the Section 8 Project-Based Loan Management Set-Aside program. Additionally, the properties are subject to the regulations of the Section 42 Low Income Housing Tax Credit (“LIHTC”) program.

The guidelines stated below are to determine who can be admitted to reside in the properties (final approval will be subject to all verified material):

### 1. Project Eligibility Requirements:

- ***Project Specific Requirements:***

Trillium Affordable Housing properties are open to family, elderly and disabled residents.

Primary applicants (head of household, co-head, spouse) must be eighteen years of age or older, or an emancipated minor.

- ***Citizenship Requirements:***

HUD restricts assistance to non-citizens with ineligible immigration status and requires applicants to complete citizenship declaration forms and submit evidence of citizenship or eligible immigration status at the time of application.

- ***Student Status:***

HUD Section 8 and Section 42 properties restrict residential eligibility for certain groups of students. Refer to “*Student Status*” in section 4 of this document, Occupancy Standards, for more information.

- ***Social Security Number Requirements:***

All household members must disclose and document Social Security numbers. Those who have not been assigned a Social Security number must sign a certification stating that no SSN has been assigned. Documentation of the SSN must be provided once an SSN has been assigned.



## 2. Income Limit Requirements:

- ***Income Limits:***

A resident must meet income guidelines for the metropolitan statistical area or county in which the property is located as set forth by HUD. Refer to the “Summary of Tenant Criteria for HUD Section 8” (attached to the Wait List Application) for current income limitations. Income limits are updated by HUD annually.

## 3. Procedures for Accepting Applications and Selecting From the Wait List

All inquiries and applications shall be routed through PHC Property Management’s central office located at 5312 NE 148<sup>th</sup> Avenue, Portland, OR 97230. All flyers, publications, and referral contacts will cite the contact information for the central office: local telephone (503) 261-1266; toll-free telephone (800) 874-7917; TTY (503) 408-3036; Internet [www.phcnw.com](http://www.phcnw.com). On-site managers and other property management staff shall route all inquiries through the central office.

PHC Property Management manages seven (7) Section 8 subsidized housing properties. Applicants expressing an interest in one or more of the Trillium Affordable Housing properties may obtain a Wait List Application package for a property in person at the central office, on the internet at [www.phcnw.com](http://www.phcnw.com), or may request a package be mailed to them. The package consists of a property’s Wait List Application for HUD Subsidized Housing, which includes the property’s address, number of bedrooms, income limitation information, and a HUD Site Section 8 Housing Projects Standard Criteria for Residency and Resident Screening.

- ***Procedures for Accepting Applications and Pre-applications (“Wait List Applications”)***

An applicant must submit a completed “Wait List Application for HUD Subsidized Housing”. A wait list is maintained for each Trillium Affordable Housing property. All Wait List Applications will be date-and-time stamped upon receipt at management’s central office. A Wait List application will be evaluated by Management to determine if, preliminarily, eligibility criteria have been met (e.g., income, student status), and if the application has been completely filed. Applications completely filed and meeting the eligibility requirements will be placed on the wait list in the order received. The application will be signed by Management and “Approved” will be indicated. A Wait List Application that is incomplete or does not meet the eligibility requirements will be rejected, marked “Denied” with the reason for denial indicated, and not placed on the wait list. In the event that an applicant is rejected, the applicant will receive written notification of the rejection, and will also be notified that they shall have fourteen (14) days from the date of the notification to respond in writing, or request a meeting, to discuss the rejection. Responses may be directed to Property Manager, PHC Property Management, 5312 NE 148<sup>th</sup> Avenue, Portland, OR 97230. When an applicant is rejected, more detailed information concerning appeal rights will be furnished at the time of the rejection.

Information from an approved applicant’s Wait List Application will be entered on the wait list. Data entered includes: applicant name, applicant address, applicant phone number, property(ies) and number of bedrooms requested, requests for unit accommodations, and extremely low income designation (if applicable).



- ***Wait List Procedures:***

An applicant's position on the waiting list is determined by the date on which the Wait List application is received at Management's central office. Acceptance to the Wait List does not guarantee eligibility for a unit. Further screening, as described in the "Applicant Screening section" of this Plan, will be conducted prior to the time that a unit is offered to the applicant.

An applicant *must* contact Management's central office at least once every six (6) months in order to remain on the Wait List. This ensures that the Wait List is comprised of interested applicants and reduces the time required to place an applicant into housing.

Applicants will be selected from the general Wait List (for applicants) or from the Transfer Wait List (for current tenants) using the following priority schedule:

- 1) Administrative transfers for current tenants
- 2) Medical transfers for current tenants
- 3) Applicant requiring modified unit
- 4) Non-administrative, non-medical transfer for current tenants
- 5) Applicant not requiring modified unit

Administrative transfers correct occupancy standards problems. These transfers will take priority over new admissions or transfers of current tenants. Administrative transfers will be made if the household size is so small that it includes fewer persons than the number of bedrooms, or so large that the household members over age two (2) would equal more than two (2) persons per bedroom.

When a unit becomes vacant, or is anticipated to become vacant by way of tenant notification, Management will determine if the unit is designated as a modified unit. If it is, the tenant at the top of the Medical Transfer Wait List will be selected for the unit. If there is no Medical Transfer tenant on a wait list, the applicant in the highest position on the general Wait List who has requested a modified unit will be selected.

When a unit not designated as a modified unit becomes vacant, or is anticipated to become vacant by way of tenant notification, Management will review the Transfer Wait List for the property for approved transfer requests and select the tenant in the top position for transfer.

When a unit not designated as a modified unit becomes vacant, or is anticipated to become vacant by way of tenant notification, and there are no tenants on the Transfer Wait List, Management will contact the applicant at, or near, the top of the general Wait List. (Note: Although applicants *near* the top of the Wait List may be contacted, placement into units will be based upon the order that the original Wait List applications were received.) The applicant will be sent a Housing Application Package, consisting of a "Housing Application" and a "Questionnaire of Assets and Income" to begin the verification process. The applicant at, or near, the top of the Wait List has forty-eight (48) hours from receipt of a phone call or, if notified by letter, five (5) business days from date of mailing, to notify the central office of their intention to accept or reject the offered unit. An applicant will be removed from the Wait List if mail is returned due to incorrect mailing information or if a number is disconnected or incorrect. Any deviation from these procedures must be approved in writing by the Property Manager or his/her supervisor.



An applicant who refuses a unit due to medically necessary reasons will not lose his or her place on the Wait List. Otherwise, any applicant who is offered a unit and refuses a second time will be removed from the Wait List. The individual may reapply at any time. However their position on the Wait List will be determined by the date their most recent application is submitted.

- ***Removing Applicants from the Wait List:***

To ensure vacant units are filled in a timely manner, Management requires a Wait List that is accurate and reasonably represents interested applicants. While each applicant must keep Management apprised of changes in address, phone number, income or other circumstances which may affect eligibility every six (6) months, no applicant shall be removed from the Wait List except when one of the following situations occurs:

- The applicant receives and accepts an offer of housing for any unit to which they have applied.
- The applicant requests removal from the Wait List.
- The applicant is rejected due to failure to meet screening or eligibility criteria.
- Management was unable to contact the applicant, as noted in the “*Wait List Procedures*” section, above.
- The applicant refuses an offer of a unit for the second time.
- The applicant does not contact Management at least once every six (6) months.

- ***Procedures for Applying Preferences:***

**Income Targeting**

HUD requires that no less than 40% of the admissions to any property assisted through the project-based Section 8 program in any fiscal year must be extremely low-income households. Income Targeting will be analyzed by Management quarterly to assure that the 40% target is attained. If the analysis indicates more than 40% of the applicants on the Wait List are below 30% of area median income, then no additional procedures related to income targeting will be taken by Management for that quarter. In keeping with HUD’s income Targeting policies, applicants whose incomes are below the extremely low-income limit (30% of the area median income) may receive preference over another applicant in a higher position on the Wait List when a unit becomes available. To implement this preference, the first extremely-low-income applicant on the Wait List will be selected for the available unit (which may mean “skipping over” applicants with higher incomes). The next available unit will be allocated to the next eligible applicant at the top of the Wait List, regardless of income level. 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 Wait List until the 40% target is achieved.

**Displacement**

HUD regulations require that applicants who have been displaced by government action or a presidentially declared disaster receive a preference on the Wait List. These applicants have an opportunity to be selected from the Wait List earlier than those applicants who do not have a preference. It is the responsibility of the applicant to provide evidence that they qualify for this preference.



**Applicant Screening Criteria (no screening fee charged to applicant):**

- ***Rental History Screening will include:***

Previous positive verifiable rental history from a third party reference, *if* applicant has prior rental experience.

Three years of eviction free history, for the period preceding the application date.

Rental history demonstrating documented noise or other disturbance complaints where former landlord would not re-rent will result in denial.

Less than four 72-hour notices within a period of one year.

Less than \$200 in past due rent and/or damages owed to a prior landlord.

- ***Credit History Screening will include:***

A consumer credit report will be obtained. Eleven (11) or more unpaid collections (not medically related) reported by the credit bureau will result in denial of the application.

A discharged bankruptcy listed on a credit report is acceptable. However, any subsequent negative credit history (not medically related) will result in denial of the application.

- ***Criminal Background/Eviction Screening will include:***

A review of criminal records for crimes where the date of disposition, release or parole occurs within the seven (7) year period prior to the application date. A conviction, guilty plea or no-contest plea for any of the following shall be grounds for denial of the application:

- Any felony involving serious injury, death, kidnapping, rape, sex crimes and/or child sex crimes, arson, extensive property damage or drug-related offenses (sale, manufacture, delivery or possession with intent to sell) where the date of disposition, release or parole have occurred within the prior seven (7) years, or
- Current registration as a sex offender, or
- Any other felony, or misdemeanor involving arson, assault, intimidation, sex crimes, weapons charges or drug-related offenses (sale, manufacture, delivery or possession with intent to sell) where the date of disposition, release or parole have occurred within the prior three (3) years, or



- Any misdemeanor involving theft, dishonesty, prostitution, obscenity and related violations (ORS 167.060 through 167-100) where the date of disposition, release or parole has occurred within the prior eighteen (18) months.

Pending charges for any of the above will result in a suspension of the application process until the charges are resolved. Upon resolution, if the applicant was found not guilty, the application process will resume. No unit will be held while resolution of the charge(s) is pending.

Additionally, the following screening criteria shall also prohibit admission of an applicant or household member:

Any household containing a member(s) that has been evicted from federally assisted housing for drug-related criminal activity, unless that person has successfully completed an approved, supervised drug rehabilitation program, or the circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household).

- A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety and right to peaceful enjoyment of the property by other residents.
  - Any household member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol may interfere with the health, safety and right to peaceful enjoyment of the property by other residents
- ***Procedures for rejecting ineligible applicants:***

Once the applicant screening process has been completed and all materials have been evaluated, any application not meeting the above requirements will be rejected. In the event that an applicant is rejected, the applicant will receive written notification, which will include the reason for the rejection.

The applicant shall have fourteen (14) days from the date of the Management notification to respond in writing or to request a meeting to discuss the rejection. Responses may be directed to Property Manager, PHC Property Management, 5312 NE 148<sup>th</sup> Avenue, Portland, OR 97230. When an applicant is rejected, more detailed information concerning appeal rights will be furnished at the time of rejection. If an applicant does not appeal the rejection of the application, or if an applicant's appeal is denied, the applicant will be removed from the Wait List.

#### **4. Occupancy Standards:**

Occupancy is based upon the number of bedrooms in a unit. A maximum of two (2) persons are allowed per bedroom. See the exception for children under the age of two (2), noted below. Studio units may be occupied by one (1) resident. Residents will be required to meet the following State and HUD standards for occupancy (information regarding occupant status will be verified):



<b>Household Members</b>	<b>Min.</b>	<b>Max.*</b>
<b>Studio</b>	<b>1</b>	<b>1</b>
<b>1 bedroom</b>	<b>1</b>	<b>2</b>
<b>2 bedroom</b>	<b>2</b>	<b>4</b>
<b>3 bedroom</b>	<b>3</b>	<b>6</b>

**\* Note: A child under the age of two (2) is allowed as a third occupant of a bedroom provided that the child is living with his/her parents or other adult(s) having legal custody of that child.**

#### **Household Members include:**

- All full-time members of the household
- Children who are away at school but live with the family during school recesses
- Children who are subject to a joint custody agreement but live in the unit at least 50% of the time
- Children in the process of being adopted by an adult family member
- An unborn child
- Foster children
- Live-in attendants

#### **Student Status:**

In general, households consisting entirely of students are not allowed to reside in Section 42 housing. A student is defined as an individual who attends school full-time (as defined by the institution being attended) for five (5) or months in the upcoming twelve (12) months, commencing with the move-in date. Full-time students who work full-time are still considered students.

Additionally, HUD's Section 8 programs do not provide assistance to any individual who is under the age of 24 and is enrolled as a part- or full-time student at an institution of higher learning, unless they meet one of the following exceptions: is a veteran of the United States military; is married; has a dependent child; is otherwise individually eligible; has parents who, individually or jointly, are income eligible. HUD also recognizes "Independent Students": (1) The individual must be of legal contract age under state law; (2) Must have established a household separate from parents or legal guardians for at least one year prior to application for occupancy *or* must meet the U.S. Department of Education's definition of an independent student; (3) Must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; (4) 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.

NOTE: Some limited exceptions to the general rules are available for Section 8 and Section 42.

## **5. Unit Transfer Policies:**



In order to enhance resident satisfaction and to promote stable, long-term tenancy, PHC Property Management has established a Transfer Policy to provide a fair and consistent system to grant tenant requests to transfer to a unit within the property of residence.

Tenants may request to transfer to a unit within their property of residence. Transfers will be made in accordance with Section 8 and Section 42 requirements, and tenants will be responsible for providing all information and documentation required.

Transfers from one Trillium Affordable Housing property to another will not be allowed without the tenant first proceeding through the Wait List and Application process.

Due to the administrative effort incurred by PHC Property Management to facilitate a transfer, the following tenant qualifications are established for granting requests to transfer:

- Tenant must submit to management a written request to transfer to another unit on a PHC Transfer Request form.
- Tenant must have lived in the current unit for at least one (1) year.
- Tenant must have at least the last three (3) consecutive months, prior to the date of the request, with no 72-hour notices. Additionally, any 72-hour notice issued after receipt of the Transfer Request form will void the request.
- Tenant must have demonstrated acceptable housekeeping and must have caused no damage to the unit currently occupied. Normal wear and tear to the unit is excluded. Tenant must allow Management to inspect the current unit prior to a decision regarding the transfer request.
- Tenant must be in good standing with the Rules and Regulations of the property, and must not have any documented complaints arising from Management and fellow tenants.
- Tenant must qualify for the unit they wish to transfer to (occupancy policy, etc.).
- Tenant must pay any and all outstanding charges on their account (late fees, maintenance/damage charges, etc.) prior to approval of the transfer request.
- Tenant will pay a new deposit for the unit they are transferring into and will receive a refund of the deposit for the unit vacated. The deposit refund may be reduced by outstanding charges due Management pursuant to move-out procedures contained in the Rental Agreement.
- Tenants requesting a transfer for medical reasons must complete a Reasonable Accommodation Request, available from the Management, signed by an appropriate treatment professional describing the medical reasons for the request.

### **Transfer Process:**

The tenant will submit a written request using the PHC Property Management “Unit Transfer Request” form. The submission will be date stamped upon receipt at the PHC main office.

Management will review the “Unit Transfer Request” form to determine whether or not the tenant qualifies for the transfer according to the policy. Each qualifying factor will be initialed by the member of Management performing the review.

If the tenant qualifies for the transfer in accordance with policy, Management will submit the completed Unit Transfer Request to the Property Manager for final review and approval. Upon Property Manager approval, the tenant will be notified in writing and placed on the Transfer Wait List in the order of date of approval. The process from the time Unit Transfer Requests are received to the time the tenant is notified in writing regarding the approval or denial of the request will take no longer than thirty (30) days.



If the transfer request is denied, the tenant may submit a written appeal to the Property Manager, who will review the appeal with his/her supervisor. Appeals will be processed and the tenant will be notified in writing of remedies or corrective actions, if any are available, within fifteen (15) days of receipt of the appeal.

## 6. Compliance with Civil Rights laws:

Civil rights laws protect the rights of applicants and residents to receive equal treatment by PHC Property Management in the way it carries out its activities. It is the policy of PHC Property Management to comply with Civil Rights laws, including:

- a. Title VI of the Civil Rights Act of 1964, which forbids discrimination on the basis of race, color, or national origin.
- b. Title VIII of the Civil Rights Act of 1968 (as amended by the 1974 HCDA and the Fair Housing Amendments Act of 1988), which extends protection against discrimination based on religion, sex, disability and familial status.
- c. Section 504 of the Rehabilitation Act of 1973, which describes specific housing rights of persons with disabilities.
- d. Violence Against Women Act of 2005, Public Law 109-162 (and all subsequent revisions).
- e. Any applicable State laws or local ordinances.

The person listed below has been designated to coordinate PHC Property Management's compliance with the non-discrimination requirements of Section 504 of the Rehabilitation Act of 1973. Complaints, questions and comments should be directed to the person at the address and/or telephone numbers listed below.

**Peter Johnson**  
 5312 NE 148<sup>th</sup> Avenue  
 Portland, OR 97230  
 (503) 261-1266  
 1-800-874-7917  
 FAX (503) 256-8391  
 TTY (503) 408-3036

PHC Property Management will not discriminate because of race, color, national origin, sex, religion, familial status, disability, marital status, or source of income in the leasing, rental, occupancy, use or other disposition of housing and related facilities.

PHC Property Management will not, on account of race, color, national origin, sex, religion, familial status, disability, marital status or source of income:

- a. Deny the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to lease housing suitable to its needs.
- b. Provide anyone housing that is different (of lower quality) from that provided others.
- c. Subject anyone to segregation or disparate treatment
- d. Restrict anyone's access to any benefit enjoyed by others in connection to the housing program.
- e. Treat anyone differently in determining eligibility or other requirements for admission.

*PHC Property Management does not discriminate on the basis of handicapped status in the admission or access to, or treatment or employment in, its federally assisted programs and activities.*



- 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 an advertisement or notice indicating an availability of housing that prefers or excludes persons.
- i. Discriminate against someone because of that person's association with another individual.
- j. Retaliate against, threaten, or intimidate someone for exercising their rights under the Fair Housing Act.

## **7. Policy for Opening and Closing the Wait List:**

It is not the current policy of PHC Property Management to close the Wait List for the Trillium Affordable Housing properties.

## **8. Security Deposit Requirements:**

A security deposit will be collected at the time of initial lease execution. The amount of the deposit will be equal to the monthly Total Tenant Payment, at the time of move-in, as indicated on HUD form 50059.

## **9. Required Documentation:**

Upon applying for residency at Trillium Affordable Housing, the applicant must provide all financial and other documentation required by HUD during a certification process prior to being accepted for residency. A list of required documentation will be provided by PHC Property Management.

