

## **PHC Property Management HUD Section 811 Housing**

### **Standard Criteria for Residency and Resident Screening Process: HALSEY TERRACE**

The apartment unit you are applying for operates under HUD Section 811 guidelines. This program is designed to provide housing for very low income households with disabilities. Income and disability status must be verified prior to move-in.

### **I. OCCUPANCY POLICY**

1. Occupancy is based on the number of bedrooms in a unit. A bedroom is defined as a space within the premises that is used primarily for sleeping, with at least one window and a closet space for clothing.
2. Two persons are allowed per bedroom. Exceptions to the two persons per bedroom policy: a child, under the age of two, is allowed as a third occupant of a single bedroom provided that the child is staying with his/her parent or other adult(s) having legal custody of the child.
3. Applicants must provide documentation of Social Security Numbers for each member of the household prior to move-in. Copies of Social Security cards will be obtained for all household members or a signed and dated certification must be obtained stating a Social Security card has not been assigned.
4. At least one person per applicant household must be over the age of 18 and have a disability. Refer to Section IV of this document, "Disability Eligibility", for the definition of disability.

### **II. APPLICATION PROCESS**

Steps to become a resident:

1. Submit a waitlist application for the desired unit. Remember to contact PHC Property Management main office at least every 6 months or you **will** be dropped from the waitlist.
2. Submit a completed application form to the PHC Property Management Office upon notification that a unit is available, or you are notified that you are near the top of the waitlist. You will have 48 hours to respond if contacted by telephone or 5 business days if notified by mail. Failure to contact the PHC Property Management office **will** result in your being dropped from the waitlist.
3. A complete and accurate application listing current and at least one previous rental reference with phone numbers (if you have previously rented) will be required. Incomplete applications will be returned to the applicant.
4. Each applicant over the age of 18 must complete an application.
5. Primary applicants must be eighteen years of age or older, or an emancipated minor.
6. Positive identification is required for all household members. Acceptable ID to show proof of age includes, but is not limited to: birth certificate, baptismal certificate, census record, official record of birth or other authoritative document or receipt of Social Security Retirement Benefits.
7. If the application is approved and you accept an available unit, you will be required to pay a security deposit at the time of initial lease execution. An application must be processed and approved before move-in. You are encouraged to read the rental agreement at the time of application.
8. Rental agreements shall be for a term of one (1) year.
9. Unfavorable information for any individual applicant may result in denial of all applications for the household.

*\*Appeal Rights. If your application is denied, you have the right to appeal that denial. See Section IX - Denial Policy. \**

### **III. INCOME REQUIREMENTS**

1. Household annual income shall not exceed 50% of the Median Family Income for the Portland metropolitan statistical area as established by HUD annually. Information on limits can be obtained from the Management Office.
2. The maximum allowable income varies by household and/or unit size. An income verification process will be used to determine the projected annual household income.
3. Complete the application and income certifications on the designated form. Management will verify your income through a third-party verification process. All adults in the household will be required to sign consents for verification of all information prior to receiving assistance, and annually thereafter.

### **IV. DISABILITY ELIGIBILITY**

Disability status must be verified prior to move-in. A person with a disability is defined by the federal regulations [24 CFR 891.505 and 891.305] as the following:

- 1) Any adult having a physical, mental, or emotional 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.
- 2) A person with a developmental disability, as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(8)), i.e., if he or she has a severe chronic disability which:
  - a. Is attributable to a mental or physical impairment or combination of mental and physical impairments;
  - b. Is manifested before the person attains age 22;
  - c. Is likely to continue indefinitely;
  - d. Results in substantial functional limitation in three or more of the following areas of major life activity;
    - i. Self-care
    - ii. Receptive and expressive language
    - iii. Learning
    - iv. Mobility
    - v. Self-direction
    - vi. Capacity for independent living,
    - vii. Economic self-sufficiency, and
  - e. Reflects the person's need for a combination and sequence of special, interdisciplinary or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned or coordinated.
- 3) A person with a chronic mental illness, i.e., a severe and persistent mental or emotional impairment that seriously limits his or her ability to live independently and which impairment could be improved by more suitable housing conditions.
- 4) A person infected with the human acquired immunodeficiency virus (HIV) and a person who suffers from alcoholism or drug addiction, provided they meet the definition of "person with disabilities" in Section 811 (42 U.S.C. 8013(k)(2)). A person whose sole impairment is a diagnosis of HIV positive or alcoholism or drug addiction (i.e., does not meet the qualifying criteria in section 811 (42 U.S.C. 8013(k)(2)) will not be eligible for occupancy in a section 811 project. 811 project.

### **V. RENTAL REQUIREMENTS.**

1. Home ownership will be verified through the county tax assessor's office. Mortgage payments and property tax assessments must be current. Home ownership negotiated through a land sales contract must be verified through the contract holder.
2. Three years of eviction free rental history is required. Evictions processed as a result of non-payment of rent may be excluded if the rent charged was greater than 50% of the monthly household income. Any household containing a member who was evicted within the last 3 years from federally assisted housing for drug-related criminal activity will be denied.

3. Rental history demonstrating documented noise or other disturbance complaints will result in denial when the former landlord would not re-rent.
4. Four or more 72-hour notices within a period of 1 year will result in denial.
5. Rental history reflecting past due rent or damages exceeding \$200.00 will result in denial, unless the debt is settled and the landlord would re-rent.

## **VI. CREDIT REQUIREMENTS**

1. A consumer credit report will be obtained. Eleven (11) or more unpaid collections (not medical related) reported by the credit bureau will result in denial of the application.
2. A discharged bankruptcy listed on a credit report is acceptable; however, any subsequent negative credit history (not medical related) will result in denial of the application.

## **VII. CRIMINAL CONVICTION CRITERIA**

1. Management will review records for crimes where the date of disposition, release or parole occurs within seven years prior to the application. A conviction, guilty plea or no-contest plea for:
  - a. Any felony involving serious injury, death, 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 last seven (7) years; or
  - b. Any felony conviction involving any type of sexual offense, current registration as a sex offender; or
  - c. Any other felony, or a misdemeanor(s) involving arson, assault, intimidation, drug-related offenses (sale, manufacture, delivery, or possession with intent to sell) or weapons charges where the date of disposition, release or parole have occurred within the last three (3) years; or
  - d. 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 last eighteen (18) months;

shall be grounds for denial of the rental application. Pending charges for any of the above will result in a suspension of the application process until the charges are resolved. Upon resolution, if applicant was found not guilty or pled no-contest, if an appropriate unit is still available, the processing of the application will be completed. No unit will be held awaiting resolution of pending charges.

2. This property enforces the “One Strike and You’re Out” guidelines designed by the federal government to increase evictions of drug offenders and other criminals from public housing around the nation.

## **VIII. DISABLED ACCESSIBILITY**

1. The owner will make any reasonable changes to the common areas of the apartment community or building that will make those areas accessible to all residents. The owner may allow changes to policies or procedures if said changes allow a person with a disability to have an equal opportunity to use and enjoy the site.
2. The owner will alter, or allow the resident to have altered, any unit to provide “reasonable accommodation” for any person with a disability. There will be no charge for modifications made as a reasonable accommodation.

3. Requests for reasonable accommodation may be submitted in writing, or orally. Management must verify that the applicant qualifies as disabled under federal law, and that the requested accommodation is necessary for the applicant to have an equal opportunity to use and enjoy the site.
4. If it is determined the resident will be responsible for the cost of modification, the following is required:
  - a. All costs will be the responsibility of the applicant/resident.
  - b. The applicant/resident must seek, in writing, Management approval before making any modification.
  - c. Applicant/resident must provide reasonable assurances, in writing, that the work will be performed in a workman-like manner.
  - d. Applicant/resident must provide reasonable details regarding the extent of the work to be done.
  - e. Applicant/resident must provide names of qualified contractors that will be used.
  - f. Applicant/resident must provide copies of appropriate building permits and the required licenses to Management for inspection.

## **IX. DENIAL POLICY**

Failure to meet any of the above criteria shall result in denial of the application (a written letter will outline the reason for denial of the application and your rights).

You have the right to dispute the accuracy of any information provided to PHC Property Management by a screening service or credit reporting agency. If your application is rejected due to unfavorable information received during the screening process you may:

1. Contact the screening company that supplied the information to discuss your application. The Management Office will supply the name, address and phone number of the screening company.
2. Contact the credit reporting agency to identify the source of unfavorable information.
3. Correct any incorrect information through the credit reporting agency as per their policy.
4. Request the credit reporting agency to submit a corrected credit check to the appropriate screening company.
5. Upon receipt of the corrected and satisfactory information, your application will be evaluated again for the next available unit.
6. Be advised that incomplete, inaccurate or falsified information will be grounds for denial.

**If your application has been denied and you feel that you should qualify as a resident, you have 14 days to respond in writing or to request a meeting to discuss the rejection. You should address your appeal to the following:**

**Attn: Appeal Committee  
PHC Property Management  
5312 NE 148<sup>th</sup> Ave.  
Portland, Oregon 97230**

In the letter explain the reasons you believe your application should be approved and request a review of your file. Please attach a copy of the denial letter you received. Within five (5) working days of receipt of your letter or within five (5) days of meeting to discuss your appeal, we will give you a written final decision.