

# **TENANT SELECTION PLAN**

**202/PRAC**

## **HOUSING ASSISTANCE PAYMENTS (HAP)**

### **PROJECT PREFACE**

**MIRACLE VILLAGE**, is a 44-Unit apartment community located in Tallahassee, Florida, and is a Non Profit Corporation. It is owned by the Florida State Primitive Baptist Convention, Inc. and managed by the Florida State Primitive Baptist Educational Foundation, Inc. This community is designed to provide housing to independent persons 62 years of age or older and meet the HUD eligibility guidelines for subsidy.

**MIRACLE VILLAGE** was financed through the Department of Housing and Urban Development (HUD), with a Direct Loan or a Federally Insured Loan and receives rental assistance through the Housing Assistance Payments (HAP).

Ten Percent (10%) of the units have been architecturally altered for accessibility (to various degrees). One member of the family must qualify as “needing” the architecturally altered features to apply for or live in these units. This need may be verified with a professional provider.

Income limits are established by HUD and change from year to year. They also are different from housing projects and from county to county. An applicant may obtain the current HUD income limits for this project from the on-site management staff.

All potentially eligible, qualified applicants will be considered in accordance with the HUD approved Affirmative Fair Housing Marketing Plan (HUD form 935.2). We use as a guidance, the criteria specified by the United States Department of Housing and Urban Development (HUD) in the most current version of the HUD Handbook 4350.3 including all changes, but recognize that it does not have the full force and effect of law. It is the policy to comply with all applicable legislation protecting the individual rights of applicants and tenants.



## **GENERAL INFORMATION**

Miracle Village, Inc. welcomes qualified individuals of diverse backgrounds and, in accordance with various Federal and State laws, does not discriminate against anyone based on race, color, religion, sex, national origin, disability, familial status or sexual orientation.

It is the intention of the owners of Miracle Village to make “reasonable accommodations” to individuals whose disabilities so require in accordance with HUD regulations and management policies.

Several units at Miracle Village have been architecturally designed for accessibility. A tenant must qualify as “needing” the architecturally designed features to apply for or live in one of these units. These units may have wider doorways, higher commode, grab bars, etc. An applicant requesting an accessible unit must verify his or her need with a medical practitioner and is in accordance with HUD Handbook 4350.3.

In order to be a tenant at Miracle Village, Inc., the tenant 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 obligation without assistance. Miracle Village, Inc. does not provide, nor have the authority to provide, and care or supervision services, and will not accept for occupancy 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 potential 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)

## **ADMISSIONS**

Applicants will be considered on a first-received, first-reviewed basis, based on the date and time that the completed and signed application is received by management. Admission to Miracle Village is limited to those who are 62 years of age or older and who meet the HUD eligibility guidelines for subsidy.



### **HOW TO APPLY FOR HOUSING**

Applications may be picked up in the Management Office at 1208 Birmingham Street, Tallahassee, FL 32304 between the hours of Monday – Thursday, 8:30 – 5:00 p.m. and Friday 8:30 a.m. – 4:00 p.m.) The application can also be downloaded from the Miracle Village website ([www.miraclevillageinc.org](http://www.miraclevillageinc.org)). Requests for applications are to be made by writing to the above address or by calling (850) 222-0561 during the above business hours. Requests made should also be emailed to [miraclevillage@yahoo.com](mailto:miraclevillage@yahoo.com). Applications should be returned during business hours in person or via first class mail. Allowances will be made for persons with disabilities. Applications will be date and time stamped and placed on the waiting list in the chronological order of receipt.

1. Applicant(s) must list the name of the family member who will reside in the unit.
2. Applicant(s) must meet certain credit/criminal report standards. Management requires a credit/criminal report on the applicant(s) and/or live in aide(s) who may occupy the unit. A Live In Aide is defined as: A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities, and who:
  - a. Is determined to be essential to the care and well-being of the persons;
  - b. Is not obligated for the support of the person; and
  - c. Would not be living in the unit except to provide the necessary supportive services.

A relative may be a Live In Aide, but must meet all of the above requirements, and sign a statement to that effect. Miracle Village will verify this with a physician and recognized health care professional. The sole purpose of the Live in Aide is to provide the tenant with support services and will not qualify for continued occupancy in the event the tenant vacates the unit. Miracle Village will re-verify the need for a Live In Aide annually during the household recertification.

### **PROOF OF CITIZENSHIP**

Family member(s) must declare citizenship or immigration status. Miracle Village is required to verify with the Department of Homeland Security (DHS) the validity of documents provided by the applicant(s). Applicant(s) must submit required documentation of citizenship/immigration status no later than the date the owner initiates verification of other eligibility factors. Miracle Village will implement



procedures to verify eligible immigration status in advance of other verification efforts, at the time of initial application.

Non-citizens age 62 or older must sign a declaration of eligible immigration status and provide a proof of age document. U. S. citizens must sign a declaration of citizenship. Owners may establish a policy of requiring additional proof of citizenship for those declaring to be U. S. citizens or nationals.

Assistance in subsidized housing is restricted to the following:

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

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 whether 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.

### **PROOF OF SECURITY NUMBERS**

Applicants must provide documentation of Social Security Numbers in order to be eligible for subsidy and therefore housing at Miracle Village, Inc. Adequate documentation means a social security card issued by the Social Security Administration. The SS# must be disclosed for all family members who plan to occupy a unit at Miracle Village, Inc.

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 60-day period during which the applicant is trying to obtain documentation. The applicant will be determined ineligible and removed from the waiting list if documentation is not received before the termination of the 60-day period.



### **DRUG RELATED CRIMINAL ACTIVITY**

Upon move-in, tenants sign leases requiring them to accept responsibility for the actions of individual household members, their guest, or other person on the premises with their consent. No tenant, no member of the tenant's family or household, 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 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.

No tenant, no tenant's family member or household, a guest or any other person visiting a tenant shall engage in any act intended to facilitate criminal activity, drug-related activity on or near the apartment complex.

No tenant, no member of the tenant's family or household, a guest or any other person visiting a tenant 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, no member of the tenant's family or household, a guest or any other person visiting a tenant will engage in the manufacture, sale or distribution of illegal drugs on or near the unit or elsewhere.

No tenant, no member of the tenant's family or household, a guest or any other person visiting the tenant will engage in acts of violence, including, but not limited to, the unlawful discharge of firearms on or near the apartment complex.

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 this provision 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.



## **CREDIT AND CRIMINAL SCREENING CRITERIA**

### Rental Approval:

1. If a prior landlord reported the applicant damaged property or lease violations the applicant 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 eviction(s) 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.
3. Any evidence of illegal activity including drugs, weaponry, etc. will be grounds for denial.
4. Grossly unsanitary or hazardous housekeeping habits.

### Criminal Background Check:

1. Any felony conviction is grounds for denial.
2. Any arrest or any activity concerning an illegal controlled substance is grounds for denial.
3. Any arrest for or conviction of any activity concerning sexual abuse or assault is ground for denial. This includes, but not limited to, any member of the household who is subject to a registration requirement under a state sex offender registration program.
4. Crimes involving physical violence, including, but not limited to, abuse of children or the elderly, abduction, manslaughter, murder, robbery sexual crimes, assault and battery within 10 years.
5. Crimes against property, including, but not limited to, arson, theft, larceny, burglary within the last past 10 years. Crimes showing dishonesty, including, but not limited to, fraud, deception, or financial exploitation of any person within the last 5 years.

### Credit Approval:

Examining an applicant's credit history is one of the most common screening activities. The purpose of reviewing an applicant's credit history is to determine how well applicants meet their financial



obligations. A credit check can help demonstrate whether an applicant has the ability to pay rent on time.

### **RESIDENT SELECTION PLAN & SCREENING CRITERIA**

Throughout the tenant selection procedures (detailed on the following pages), a disabled applicant is entitled to reasonable accommodations in rules, policies, practices or service, and/or reasonable modifications of existing premises to afford equal opportunity to use and enjoy a dwelling. This entitlement continues once a disabled applicant becomes a resident. Requested accommodations and modifications to premises are not reasonable if they would result in an undue administrative and financial burden or result in the fundamental alteration in the nature of a program.

**If an application is submitted to Management, or an applicant is on a waiting list, it should in no way mean that the applicant qualifies for housing. This can only be confirmed after the screening and verification process has been completed.**

#### **Occupancy at Initial Rent-Up**

The availability of applicants for residency will be announced in accordance with the facility's approved Affirmative Fair Housing Marketing Plan. At the initial release, each application packet will include instructions for completing and returning the application by a designated date. Applications will be accepted in chronological order according to the postmarked date. Faxed applications and applications without signatures will not be accepted.

Although applications will be accepted in chronological order, tenant selection will be based on applicant's ability to satisfy federal eligibility requirements and the facility's legitimate requirements of tenancy.

If the response to the initial release of applications indicated that less than 100% occupancy would be achieved, additional applications will be made available. Completed and signed applications will be added to the chronological list in accordance with the date and time of receipt.

#### **Filling Vacancies From a Waiting List**

Applicants will be selected for residency on a "first-come, first-serve" basis. Eligible applicants, for whom no appropriate type/size is available, will be placed on a waiting list. An applicant's position on the waiting list will be determined by the date and time the completed application is returned to





the housing community. When an apartment becomes available, Management will proceed with screening of the applicants. *Applicants are responsible for notifying Management of a change of address and/or telephone number.*

### **Screening of Applicants**

All applicants for tenancy who satisfy the federal statutory requirements for eligibility and who meet the facility's legitimate and uniformly applied requirements of tenancy are admissible into the housing community. The facility's legitimate requirements of tenancy include an ability to pay rent on time, meet HUD requirements and other legitimate terms and conditions of the facility's lease.

**Eligibility Forms:** All applicants for tenancy must satisfy federal requirements through the process of eligibility forms. The applicant must sign the eligibility forms, referred to as the "paperwork." There will be several forms requiring the applicant's signature and completion by third-party provider. Management will send the "*paperwork*" to the appropriate third parties for verification of the applicant's income, assets, allowable expenses, etc.

**The Employment Income Verification System (EIV)** will be used as the primary screening tool for all applicants. All applicants **MUST** disclose if they are currently receiving HUD housing assistance. The owner will not knowingly assist applicants who will maintain a residence in addition to the HUD-assisted unit. HUD provides the owner with information about an applicant's current status as a HUD housing assistance recipient. The owner will use EIV to determine if the applicant or any member of the applicant household is currently receiving HUD assistance.

Nothing prohibits a HUD housing assistance recipient from applying to this property. However, the applicant must move out of the current property and/or forfeit any voucher before HUD assistance on this property will begin. Special consideration applies to:

- 1) Minor children where both parents share 50% custody.
- 2) Recipients of HUD assistance in another unit who are moving to establish a new household when other family/household members will remain in the original unit.

If the applicant or any member of the applicant household fails to fully and accurately disclose rental history, the application may be denied based on the applicant's "misrepresentation" of information.





This information will be reviewed on an annual basis, at each annual certification. If any household member receives or attempts to receive assistance in another HUD assisted unit while receiving assistance on this property, the household member will be required to reimburse HUD for assistance paid in error. This is considered a material lease violation and may result in penalties up to and including eviction and pursuit of fraud charges from HUD's Office of Inspector General (OIG).

**Need for Accessible Unit:** To certify an applicant's eligibility for an Accessible Unit, all applicants shall complete the form entitled "Verification of Need for Accessible Unit." No other criteria shall be used or inquiry made to exclude an applicant for an accessible unit based upon his/her disability status. In particular, applicants who meet the federal statutory eligibility criteria and the legitimate requirements for tenancy and who have other physical and/or mental disabilities or impairments, cannot be excluded on the basis that they have these other disabilities or impairments.

Should the applicants(s) request a unit with special features to accommodate their disability, Management may take inquiries to determine whether the applicant(s) is qualified for a dwelling unit that is available only to persons with a particular type of disability. Management will modify the application process as a reasonable accommodation to persons with disabilities. However, all screening factors apply to all applicants.

### ***REJECTION OF AN APPLICATION***

Residential Manager may reject an otherwise qualified applicant whose background indicates that he or she will not satisfy the legitimate and uniformly applied requirements of tenancy. A unit offer need not be made to an individual whose tenancy would constitute a direct threat to the health and safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

In reviewing the information received and determining whether an applicant(s) is able to meet the legitimate requirements of tenancy, the facility Management shall consider mitigating or extenuating circumstances of all applicants or tenants.

Rejection of an application may occur if the following background information is received.

**Landlord Checks (where applicable):** Unacceptable information



received from current and former Landlords regarding an applicant's ability to meet legitimate requirements of tenancy, examples include: nonpayment of rent, failure to cooperate with applicable recertification procedures, violations of house rules, violations of lease, history of disruptive behavior, housekeeping habits, terminations of assistance for fraud evictions & judgments, convictions for illegal use of a controlled substance.

**Police Reports (where applicable):** For any household member listed on the application; criminal convictions in the past 10 years for any crime of violence, theft or fraud. Also, convictions involving the illegal manufacture or distribution of a controlled substance, convictions for illegal use of a controlled substance, or any criminal activity that establishes that the household might constitute a direct threat to the health and safety of other individuals or result in substantial physical damage to the property of others.

**Credit History (where applicable):** An applicant's credit history demonstrating past sufficient justification to reject an applicant.

**Misrepresentation:** An applicant or applicant's household intentional misrepresentation of information relevant to a determination of eligibility, including financial capacity or ability to satisfy the legitimate and uniformly applied requirements of tenancy.

**Illegal Drug Use:** Current illegal drug use or past convictions of illegal drug use.

**Residential Manager May Reject an Applicant Due to:**

Applicant(s) fails to meet federal eligibility standard such as: Income & Age Requirements

Applicant(s) fails to provide Social Security Numbers for all family members or execute a certification when Social Security Numbers have not been assigned.

Applicant(s) submits false or untrue information on the application, or has failed to cooperate in the verification process.

Applicant(s) has a history of evictions from other housing.



Applicant(s) has a negative reference from current or previous landlord, including but not limited to non-sufficient funds – checks, lease violations, etc.

The household size not appropriate for the unit excluding Live In Aide.

Miracle Village will not be the applicant's only place of residence.

Applicant(s) cannot pay the appropriate security deposit at move-in.

Applicant(s) has a history of unacceptable or unsatisfactory credit or criminal history as reported by a credit agency or other organization.

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.

Applicant(s) is not a citizen, national, or eligible non-citizen (as defined by HUD).

Applicant(s) possess negative criminal history.

By HUD formula, the applicant does not show a need for the subsidy assistance because the household income exceeds the HUD income limit.

Applicant(s) is unable to provide proof of SSNs as required by HUD and management policy.

The household contains a member who was evicted within the last 10 years from federally assisted housing or conventional housing for drug related activity. Exceptions may be allowed if the evicted household member has successfully completed an approved, supervised drug rehabilitation program or the circumstances leading to the eviction no longer exists.

Within the household a person currently engages in illegal use of drugs or has a pattern of illegal use of drugs.

The household has a person whom there is reasonable cause to believe that the member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the healthy, safety and right to peaceful enjoyment by other residents.



The required HUD Form 9887/9887A “Notice and Consent to the Release of Information” has not been signed by applicant/tenant.

Applicant(s) refuse to sign “Eligibility Forms” for verification of household income, assets, medical, and any other required verification for eligibility

Applicant(s) has not provided the his/her current address and/or telephone number.

**Notices of Availability:** Management will notify the applicant when a suitable apartment may become available. The applicant may refuse an available apartment two times without jeopardizing his/her position on the Waiting List. However, if an available apartment is offered and refused a third time or if Management is unable to reach the applicant at the address/telephone number provided, the application will be cancelled and the person’s name removed from the waiting list.

**Notification of Rejection:** An applicant who is denied admission will be notified in writing of reason(s) for rejection. The applicant has fourteen (14) days to respond in writing or to request a meeting to discuss the rejection. If an applicant has a disability, they may inform Management of this fact and request “reasonable accommodations” (changes in the site’s nonessential policies and practices), which would give the applicant(s) an equal opportunity to pursue the application process. Management will follow the guidelines, as directed in the HUD 4350.3 for the rejection appeal process.

### **General Information**

**Transfers:** We will first assign units to in-place residents who have demonstrated a need for a change in housing before offering units to applicants on the waiting list. This will be done in chronological order based on the date of the notification that was received by Management from the tenant. Once a unit has been assigned, a transfer of units may be granted if any of the following conditions occur: medical/health conditions or the need for an accessible unit. A medical reason certified by a doctor will be required for an accessible unit. The site shall maintain a transfer list, which shall be available for inspection by interested residents. Person seeking a transfer for purpose of convenience shall be placed at the bottom of the waiting list. The transfer request must be made in writing.



The request will then be forwarded to the residential manager for final approval.

**Occupancy Standards:** State and local laws regarding occupancy standards will prevail.

***Studio Apartments and One-Bedroom Apartments:***

Minimum Number of Occupants, One

Maximum Number of Occupants, Two

**Household Pets:** Pets are permitted at our communities. Pets are defined as domesticated small animals, such as dogs and cats, traditionally kept in the home for pleasure. A Pet Deposit of \$300 is required and “Pet Ownership Rules” with required documentation apply. Therefore, should an applicant be moving a pet with them to the housing community, they should request, from Management, a copy of the complete Pet Policy for their review prior to moving.

**Assistive Animals:** Applicants with disabilities may use an assistive animal, i.e., guide dogs for persons with vision impairments, hearing dogs for persons with hearing impairments, and emotional support animals for person with chronic mental illness. Management may require the applicant to provide justification that the animal may be needed for the individual to have equal opportunity to use and enjoy the housing. This information must be in writing and verified through a professional person and/or institution. Also, additional documentation relating to the assistive animal will be required. This information is listed on the Assistive Animal Agreement and all applicants may request this form from Management, prior to move-in.

**Opening & Close of Waiting List:** Management will notify the public through the advertised Affirmative Fair Housing Marketing Plan (i.e. radio, news press) about the opening & Close of the waiting list. The Waiting List may be closed when the average wait is excessive (for example one year or more). When the waiting list is closed the manager will advise potential applicants that the waiting list is closed and refuse to take additional applications.

**Access to Services for Persons with Limited English Proficiency (LEP):** Executive Order 13166 requires federal agencies and grantees to take affirmative steps to communicate with persons who need services or information in a language other than English to prohibit against national origin discrimination affecting LEP



Persons. Management will take reasonable steps to ensure meaningful access to the information and services they provide for persons with LEP. This may include interpreter services and/or written materials translated into other languages.

**The project is an Equal Opportunity Employer and Housing Provider. We do not discriminate based on race, color, creed, religion, sex, national origin, familial status, disability or socio-economic status in the employment of staff, accepting and processing of applications, selection of tenants, assigning of units or the certifying and recertification of eligibility for assistance and all other aspects of continued residency.**



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