

## HIFUMI EN TENANT SELECTION PLAN & POLICY

**We accept valid comprehensive reusable tenant screening reports. All applications will be screened for residence/rental history, credit history and public records.**

Requirements for approval are:

- No negative rental history with in the past seven (3) years
- No balance owed to landlord. Or provide proof of payment plan.
- Credit history, excluding medical.
- No bankruptcy within past 2 years

The following are reasons for denying residency to an applicant:

- Poor rental history. Owning balance to a landlord without a payment plan in place.
- Poor credit history (lack of credit is assumed to be positive credit)
- Evictions in the past 3 years from federally assisted housing for drug-related criminal activity
- Conviction of a drug related crime within the last 3 years. The 3 year period must be unsupervised time and crime free.
- Any household member who is subject to a state sex offender **life-time** registration requirement, any state.
- Reasonable cause to believe that behavior from current abuse, or pattern of abuse, caused from alcohol, may interfere with the health, safety and peaceful enjoyment of others.
- 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.
- Conviction of a crime against person or property, within the last 3 years. The three year period must be unsupervised time and crime free.
- Any household member who constitutes a direct threat to the health, safety, or right to peaceful enjoyment of the premises by other residents; or criminal activity that would threaten the health and safety of SHA, contractors, or agent of SHA.
- Providing false, incomplete or misleading information on the application.
- Being over or under established income limits or not meeting applicable program eligibility requirements.
- Households whose members include a student enrolled in an Institute of Higher Education. (except under certain conditions)

Possible Remedies for failure to meet criminal conviction criteria

In matters relating to criminal conviction history, circumstances and mitigating facts that may be considered include:

- Nature and severity of past conduct; age of individual at time of conduct; evidence of good tenant history before or after conviction or conduct; evidence of rehabilitation and treatment efforts; restitution of damages if any; nature of severity of offense(s); number of similar past offense(s) or lack thereof; and impact of housing decision on other offending household members.

If you are rejected you have the right to appeal the decision within (14) days of the receipt of the rejection notice by contracting the management of this property in writing or requesting a meeting.

If you feel this adverse action is due to domestic violence, dating violence, sexual assault or stalking, please contact the Hifumi En office to discuss immediately.

Spokane Housing Authority (SHA) and Hifumi En Apartments is concerned about the safety of its tenants, and such concern extends to tenants or applicants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the **Violence against Women Act (VAWA)**

VAWA support and/or assist victims of domestic violence, dating violence, sexual assault and stalking. It protects victims, as well as members of their family, from being denied housing or from losing their HUD assisted housing if an incident of violence [that] is reported and confirmed. The VAWA also provides that an incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking does not qualify as a serious or repeated violation of the lease nor does it constitute good cause for terminating the assistance, tenancy, or occupancy rights of the victim. Furthermore, criminal activity directly relating to domestic violence, dating violence, sexual assault or stalking is not grounds for terminating the victim's tenancy. The Owner/Agent (O/A) may bifurcate (divide a lease as a matter of law) in order to evict, remove, or terminate the assistance of the offender while allowing the victim, who is a tenant or lawful occupant, to remain in the unit.

Persons with disabilities have the right to request reasonable accommodations may request to participate in the informal hearing

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Co-Applicant Signature

\_\_\_\_\_  
Date

Dear Applicant,

Section 214 of the Housing and Community Development Act of 1980, as amended, prohibits the Secretary of HUD from making financial assistance available to persons other than U.S. citizens or nationals, or certain categories of eligible non-citizens, in the following HUD programs:

- Section 8 Housing Assistance Payments programs;
- Section 236 of the National Housing Act Including Rental Assistance Payment (RAP); and
- Section 101/Rent Supplement Program.

You have applied or are applying for, assistance under one of these programs, therefore, you are required to declare U.S. Citizenship or submit evidence of eligible immigration status for each of your family members for whom you are seeking housing assistance. You must do the following prior to final residency approval:

- a. Complete a Family Summary Sheet to list all family members who will reside in the assisted unit.
- b. Each family member (including you) listed on the Family Summary Sheet must complete a Declaration. If there are 8 people listed on the Family Summary Sheet, you should have 8 completed copies of the Declaration. The Declaration has easy-to-follow instructions and explains what, if any other forms and/or evidence must be submitted with each declaration.
- c. Submit the Family Summary Sheet, the Declaration, and any other forms and/or evidence to the Community Supervisor of the property you are certifying with, or to the address below:

HIFUMI EN APARTMENTS  
926 E. 8<sup>th</sup> Avenue  
Spokane, WA. 99202

HIFUMI EN  
RESIDENT SELECTION CRITERIA

Spokane Housing Authority (SHA) follows Equal Opportunity Housing practices as stated in Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act Amendments of 1988 and 6c, Title VI of the Civil Rights Act of 1964 and Washington State Law. We provide equal access to Housing in HUD Programs. It is intended to ensure that housing across HUD/SHA programs is open to all eligible individuals and families regardless of actual or perceived sexual orientation, gender identity or marital status. We do not discriminate on the basis of race, color, religion, creed, national origin, sex, sexual orientation or gender identity, familial status, marital status, disability, or other protected class status.

Potential applicants receive an application form, the Resident Selection Criteria, and form HUD-1140-OIG "Things You Should Know". When an application is received it is reviewed for completeness to determine if the applicant appears to qualify. If the applicant does not have enough basic information, it is returned to the applicant noting information that needs to be supplied.

Applicant's assistance in subsidized housing is restricted to (1) U.S. citizens or nationals; and (2) Non-citizens who have eligible immigration status. All family members must declare their citizenship or immigration status, at the time the application is submitted. Assistance to applicants and tenants excluding tenants age 62 and over as of January 31, 2010, whose initial determination of eligibility was begun prior to January 31, 2010 and those individuals who do not contend eligible immigration status, to disclose and provide documentation of complete and accurate SSN assigned to them. This information will be verified according to HUD guidelines prior to final residency approval through the SAVE system (Systematic Alien Verification for entitlements).

Once completed, the application is reviewed for qualification according to income, age, family composition, and need for mobility impaired access unit. If an applicant does not appear to qualify under any of the categories, a letter of explanation is sent to the applicant who is told that he/she can meet with us if they wish to have any questions answered.

If the applicant appears to qualify the application is placed on the waiting list file and logged according to date and time received.

All adults in each applicant family must sign a "Consent for the release of information" prior to receiving assistance and annually thereafter. The unit for which the family is applying must be the family's only residence. An applicant must agree to pay the rent required by the program under which the applicant will receive assistance. All information reported by the family is subject to verification.

Applicants for Hifumi En must be either elderly family or a person of disability status, per HUD eligibility guidelines. (Elderly family means a family whose head, or spouse, or sole member is a person who is at least 62 years of age.)

Hifumi En will use EIV Existing Tenant Search (request brochure for more details) to verify whether applicants are currently receiving assistance for another location prior to admitting the applicant for residency. By engaging in the screening process, you hereby accept to such search.

All applicant and tenant household members must disclose and provide verification of the complete and accurate SSN assigned to them except for those individuals who do not contend eligible immigration status or tenants who were age 62 or older as of January 31, 2010, and whose initial determination of eligibility was begun before January 31, 2010. This paragraph explains the requirements and responsibilities of applicants or tenants to supply owners with this information, the responsibility of owners to obtain this information, and the consequences for failure to provide the information.\*

## **A. Key Requirements**

1. Applicants and tenants must disclose and provide verification of the complete and accurate SSN assigned to each household member. Failure to disclose and provide documentation and verification of SSNs will result in an applicant not being admitted or a tenant household's tenancy being terminated.

Exceptions to disclosure of SSN:

a. Individuals who do not contend eligible immigration status.

(1) Mixed Families: For projects where the restriction on assistance to noncitizens applies and where individuals are required to declare their citizenship status, proration of assistance or screening for mixed families must continue to be followed. In these instances, the owner will have the tenant's Citizenship Declaration on file whereby the individual did not contend eligible immigration status to support the individual not being subject to the requirements to disclose and provide verification of a SSN.

Please ask the site manager if you have any questions.

An applicant may not become a participant in the program unless the applicant submits the required SSN documentation for all non-exempt household members to the owner. The applicant must provide SSN documentation for all non-exempt household members to the owner within 10 days from the date they are first offered an available unit to disclose and/or verify the SSN. If the owner 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, at its discretion, retain his or her place on the waiting list. After 90 days, if the applicant has been unable to disclose and/or verify the SSN's of all non-exempt household members, the applicant should be determined ineligible and removed from the waiting list. Tenants who do not meet the SSN disclosure, documentation and verifications for all non-exempt household members within the stated timeframe will be considered in non-compliance with their lease and Hifumi En Apartments must terminate the tenancy of that household.

We 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) will not deny occupancy to such applicant households. O/A will give the household 90 days from the effective date of their move-in certification to provide documentation of the SSN for the child. An additional 90-day period will be granted by the O/A if the failure to provide documentation of a SSN is due to circumstances that are outside the control of the household.

The applicant household's annual income must not exceed the very-low income limits (50% of area median income). In accordance with HUD requirements, the owner must not lease less than 40% of the dwelling units that become available for occupancy in the fiscal year to extremely low-income families. To implement this method, SHA 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) 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 list until the 40% target is reached.

Current income limits are available at the rental office.

Hifumi En is comprised of 41 one bedroom units and household size is limited to 3 members per unit.

When a unit transfer is at the request of the resident, the resident may be required to provide third party verification of the need of the transfer. The cost of the transfer generally will be borne by the resident. Depending upon the circumstances of the transfer, a tenant may be obligated to pay all costs associated with the move. However, if a tenant is transferred as a reasonable accommodation to a household member's disability, then the owner must pay the costs associated with the transfer, unless doing so would be an undue financial and administrative burden.

The resident may request a transfer due to a medical reason or disability, by submitting a Reasonable Accommodation or Letter to SHA. Once a request for transfer has been received the date and time of the request will be documented to establish priority when more than one request for the same unit size and/or location is being considered. Unit transfers are only allowable as a Reasonable Accommodation for a medical reason or a disability or falls under VAWA. Approved transfer requests will be placed at the top of the waiting list. Current residents will have priority over residents waiting to move-in.

Spokane Housing Authority (SHA) is concerned about the safety of its tenants, and such concern extends to tenants or applicants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the ***Violence against Women Act*** (VAWA)

SHA allows under VAWA support and or assistance to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. The ability of SHA to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether SHA has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

Mobility impaired accessible units are offered to in-place residents who are in need of that type of unit. If there are not any persons in need of the accessible unit in the building, the unit will be offered to persons on the Mobility Impaired Accessible waiting list according to date and time of application. If there are not any persons on the waiting list then the unit will be offered to persons on the waiting list for regular units with the understanding that they may have to move to a non-accessible unit when one becomes available, at the residents expense.

When screening applicants we require a credit and criminal history with no negative rental/residence history. Denials will be issued for instances including but not limited to the following reasons:

- Evictions in the past 3 years, from federally assisted housing for drug-related criminal activity
- Any household member who is subject to a state lifetime sex offender registration requirement.
- 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 drugs may interfere with the health, safety and right to peaceful enjoyment of the property by other residents.
- Criminal conviction history for serious crimes against person or property.

All prospective residents will have an interview with a SHA representative. In determining suitability for residency the most appropriate criteria are those that demonstrate that a person can meet the obligations of tenancy such as paying rent on time, maintaining the dwelling as required by the lease/rental agreement, and avoiding disruptive or destructive behavior.

Applicants that do not meet the screening criteria will be notified in writing why they will not be accepted as a resident. Applicants will be given 14 days to appeal the denial. They will be given an opportunity to meet with

a representative of Spokane Housing Authority to discuss any questions they may have regarding the screening criteria.

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.

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.

If the applicant feels their application for tenancy was denied due to being a victim of domestic violence, dating violence, sexual assault or stalking, they should contact the Hifumi En office to discuss immediately. They will be required to complete certification and/or provide alternate documentation to verify their claim. Required information shall be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA.

All information provided to an owner or management agent related to the incident(s) of domestic violence, dating violence, sexual assault and stalking, including the fact that an individual is a victim of domestic violence, dating violence sexual assault or stalking shall be retained in confidence by the owner or management agent and shall neither be entered into any shared database nor provided to any related entity, except to the extent that such disclosure is:

(1) Requested or consented to by the victim in writing; (2) Required for use in an eviction proceeding or termination of assistance; or (3) Otherwise required by applicable law.

Applicants who do not respond to updates or who do not keep in contact with Spokane Housing Authority every six months will be dropped from the current waiting list file and filed in a non-responsive/contact file.

Acceptable applicants are processed according to HUD certification rules and rents are figured accordingly. All residents must sign a rental agreement, house rules, disposition of assets form, release of information form, all applicable verification forms, HUD-50059 form, HUD 9887 and 9887A forms, and move-in/move-out inspection form.

Owners must use, and the student must meet the following criteria to be eligible for Section 8 assistance as an independent student:

#### Student Eligibility Requirements:

- Is enrolled part time or full time as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); to obtain a degree, certificate, or other program leading to a recognized educational credential.
- Must be 24 years of age or older by December 31 of the award year;
- Is an orphan in foster care, or award of the court or was an orphan, in foster care or a ward of the court at any time when the individual was 13 years of age or older;
- Is or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individuals state of legal residence;
- Is a veteran of the Armed Forces of the United States or is currently service on active duty in the Armed Forces for other than training purposes;

- Is a graduate or professional student;
- Is a married individual;
- has legal dependents other than a spouse;
- 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 or as unaccompanied, at risk of homelessness and self-supporting;
- Is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances
- Is not a person with disabilities (defined in 3 (b) (3) (E) of the U.S. Housing Act of 1937 (42 U.S.C 1437 a (b) (3) (E) and was not receiving Section 8 assistance as of November 30, 2005.
- Is not individually eligible to receive Section 8 assistance or has parents (individually or jointly) who are not income eligible to receive Section 8 assistance.

Owners must verify the student's independence from his or her parents. To determine that the students' parents' income is not relevant in determining the student's eligibility for assistance by doing all the following:

- Review and verify previous address information to determine evidence of a separate household verifying the student meets the U.S. Department of Education's definition of independent student;
- Review a student's prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education's definition of independent student;
- Verify income provided by parents by requiring written certification from an individual providing the support. Financial assistance that is provided by persons not living in the unit is part of the annual income.
- Certification is also required if the parent is providing No support to the student.

The rule does not apply to students residing with their parents in a section 8 assisted unit or who reside with parents who are applying to receive section 8 assistance.

2. 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 a student receives (1) under the Higher Education Act of 1965, (2) from private sources, or (3) from an institution of higher education (as defined under the Higher Education Act of 1965 ,that is in excess of the amounts received for tuition ins included in annual income , except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 Assistance.

Closing waiting lists: The waiting list may be closed for one or more unit sizes when the average wait exceeds one year. The owner will advise potential applicants that the wait list is closed and will refuse to accept

additional applications. The owner will publish notice in a publication likely to be read by potential applicants such as the Spokesman Review or Inlander.

Opening wait list: When the owner agrees to accept applications again, notice of this action will be announced in a publication most likely to be read by potential applicants, in the same manner as the notification that the wait list was closed.

In accordance with State and Federal laws you are hereby notified that an investigation may be made by MRI Resident Check., The Information Source of the information you provide on this application, together with the information as to your character, general reputation, personal characteristics and mode of living. You have the right to dispute the accuracy of information provided by MRI Resident Check., The Information Source or by the entities you have disclosed above, and upon written request, the right to a complete and accurate disclosure of the nature and scope of the investigation and/or a written summary of your rights under the WA Fair Credit Reporting Act. Direct all inquiries to: MRI resident check. LLC 5005 LBJ Freeway, Suite 225, Dallas. TX 75244 1-(800) 491-2580, Fax 1(800) 495-4842. I/We certify that to the best of my/our knowledge all statements made herein are true and correct. I/We authorize MRI Resident Check LLC, The Information Source to obtain such credit reports, character reports, verification of rental and employment history it deems is necessary to verify all information set forth in the above Application, and provide an investigative report to the undersigned Landlord. **I/We further understand that false, fraudulent or misleading information disclosed above may be grounds for denial of tenancy or subsequent eviction.**

*Prospective tenants have the right to obtain a free copy of the consumer report in the event of denial or other adverse action and to dispute the accuracy of information appearing in the consumer report.*