

Resident Selection Criteria

The Legacy Apartments – Casper, WY

Purpose

The Legacy Apartments was established to provide safe affordable housing for low income and moderate income individuals as defined in the eligibility criteria below. The property has signed a Use/Regulatory Agreement with Wyoming Community Development Agency restricting the use of the property to eligible households as stated in the Affordable Housing Tax Credit Program.

Policy for Changes to the Resident Selection Criteria

Changes to the Resident Selection Criteria may occur from time to time. The changes could occur at the discretion of Management or the IRS. Changes in the Resident Selection Criteria will be posted at the property.

Project Specific Requirements

The Legacy Apartments has agreed to a Regulatory Agreement. Applicants must be age 55 or older. Applicants must earn less than what is stated in the Regulatory Agreement upon move-in to reside at this property. The income limits for this county are posted in the leasing office and are available at www.huduser.org. The income limits are adjusted for family size. Income limits are established by Wyoming Community Development Agency and are updated annually. To qualify, this property must be the only home for the applicant. Applicants must sign the Release of Information documents prior to move-in and at least annually thereafter. The Release of Information documents are in accordance with the tax credit program and can be reviewed by the applicant, in advance, if requested. The consent forms must be signed by the head of household, the spouse or co-head of household and any other family members who are 18 years of age or older.

Family members who refuse to sign the Release of Information documents and/or refuse management the ability to verify program eligibility for the family will be denied housing.

Application Process

1. Applications will be accepted during regularly posted office hours.
2. One application may be filled out per household.
3. Persons requiring special accommodations should contact the management office.
4. Applications will be screened in accordance with the program eligibility requirements and the criteria set forth in the resident selection plan.
5. Upon completion of the application, management will meet with the applicant to review the application for accuracy and completeness.
6. Applicants will be required to provide proof of identity and age.

7. Based on the initial screening the applicant will be added to the waiting list (if a waiting list exists).
8. If no waiting list exists and the initial screen determines the applicant will likely be qualified, management will begin processing the application for occupancy.
9. Should the applicant fail to meet the income restrictions and/or other screening criteria management will provide a denial letter by mail.

Applicant Selection

All applicants who meet the program eligibility requirements and resident selection criteria requirements will be offered housing on a first come first serve basis.

Student Status

According to the LIHTC program certain restrictions apply, including disallowing a unit comprised of all full-time students, unless the student is either 1. receiving TANF assistance, 2. in a Job Training Program, 3. A single parent with dependent child(ren), 4. married and filing a joint tax return., or 5. Have ever been in Foster Care.

Changes to Family Composition after Move-In

The family may request a change in unit size due to the addition or subtraction of a family member after 6 months of occupancy. Families must inform management within 30 days when a change occurs. The household must meet program eligibility requirements at the time the change of household composition occurs. Adult additions to the family must be approved for occupancy in accordance with the property's resident selection criteria prior to occupying the unit. Adult members' income must be considered in the maximum income limit and also must be added to the lease.

Criminal Activity

The Legacy Apartments will not allow occupancy to households where a family member has been involved in criminal activity. If anyone in the household has been convicted of a felony at any time, the household will be denied residency. Tenant Data Services will provide the reports to the property. Criminal activity includes but is not limited to the following:

- A household member who is subject to a lifetime registration requirement under the state sex offender registration program.
- A household member who is subject to registration requirements under any state sex offender registration. Any household member who has a criminal record that includes a sex crime. Sexual offenders will never be allowed occupancy regardless of the date of the offense.
- A household member who is currently using illegal drugs.

- A household member who has three (3) or more misdemeanor drug charges, or one (1) or more felony drug charges, including possession, use or distribution.
- A household member who there is reasonable cause to believe has a pattern of use of illegal drugs or alcohol abuse that will interfere with the health, safety, or right to peaceful enjoyment of the premises by the other tenants, including drug charges that may be in process or have been dismissed.
- A household member who has exhibited criminal activity that could threaten the safety and right to peaceful enjoyment of the residents or staff at the property.
- Violent criminal activity by a household member; including but not limited to anyone who has a felony charge for assault, battery, or neglect.
- Any other criminal activity that could threaten the health or safety of the owner or any employee, contractor, or subcontractor or agent of the owner who is involved in the housing operations.

In certain cases, management may consider relevant circumstances related to a particular family's case. Relevant circumstances might include the following: (It is understood that under no circumstances will a household be considered if a member has a felony conviction):

- The seriousness of the offense.
- The effect denying tenancy would have on the community.
- The degree of participation in the offending activity by the household member.

Occupancy Standards

Occupancy is limited to two (2) persons per bedroom.

Citizenship

Applicants will be required to verify their citizenship status as part of the qualification process at this property. Applicants are required to provide a Social Security card or other appropriate documentation.

Credit Policy

Landlord Reference:

The applicant's present and past landlord history will be verified including but not limited to rental amount, rent paying habits, how long they have lived there, condition of dwelling, did they fulfill their lease, did they give notice to vacate and would they be eligible to live there again. Lack of landlord reference is not a negative (for example, have always lived with parents).

Credit Report:

The applicant's credit report will be checked using Tenant Data Services. An application fee of \$20.00 will be charged to each adult applicant. The Site Manager has the ability to approve any application if the Predictive Factor Point Score is between 11 – 24. Property Manager Approval is required when the Predictive Point Score is below 11. In most cases, the Property Manager must reject an application with a score of 0-6 unless there are special circumstances (new college graduate, military, new job, bankruptcy, etc). A bankruptcy is considered to have erased all debt.

Income:

Applicants must have sufficient income to ensure that they are able to pay the rent. If there is no other debt, this can be changed at the discretion of the Property Manager.

Guarantor:

A guarantor can only be used if the applicant, standing on their own meets a Predictive Factor Point Score of questionable and nothing less, unless approval is obtained by the Property Manager. The guarantor must qualify under the same guidelines as the applicant, including a credit check. An application fee of \$35.00 is required of a guarantor just as it is required of an applicant. Guarantors may be used only if they are immediate family members (legally related, brothers, sisters, father, mother, etc.) Unrelated individuals, such as friends, are not acceptable.

Procedures for Approval:

1. Applicants will be screened first for landlord, credit approval, occupancy standards and the ability to contract. Wyndam of Lawrence Senior Residences will not obtain criminal reports on applicants who are denied based upon information obtained in the first step.
2. If the applicants passes step 1 above, management will then obtain a criminal report.
3. Upon satisfactory completed of steps 1 and 2 outlined above, applicants for affordable housing will be screened based upon the program requirements discussed in this resident selection plan. Upon meeting the Affordable Housing Program requirements, applicants will then be approved for move-in.

Procedures for Denial:

The following procedures will be completed when an applicant is denied housing at Wyndam of Lawrence Senior Residences:

1. A denial letter will be mailed within 3 business days to the applicant from the Site Manager with a copy retained on-site.
2. According to existing law, no information may be given over the phone.

Unit Transfer Policy

Generally, unit transfers are not allowed to the same size units within the same property. A unit transfer request will be considered as a reasonable accommodation when there is a need for an accessible unit or to accommodate a qualified medical condition. Before the transfer is approved, the resident must demonstrate prompt payment of rent and other charges, does not owe a previous balance and has no lease violations for the prior six (6) months.

Live-In Caretakers

A Live-In Caretaker will be considered if medically necessary as stated by a Medical Care Professional. A specific form is required and will be given to the Medical Care Professional by Management. A background check, including criminal reports, will be conducted on every live-in caretaker. If the caretaker has a criminal history as stated above, occupancy will not be granted. A Live-In Caretaker is a “person who resides with one or more elderly person(s), or near-elderly person(s), or person(s) with disabilities who 1. is determined to be essential to the care and well-being of the said person; 2. is not obligated for the financial support of the said person; and said person is not responsible for my caretaker’s financial support and 3. would not be living in the unit except to provide the necessary supportive services. The Live-In Caretaker will need sign a lease addendum and affidavit.

Security Deposit

The required security deposit for each unit is established at move-in. When a tenant transfers to a new unit, management will charge a new security deposit and refund the balance of the deposit for the old unit.

Non-Discrimination

The Legacy Apartments does not discriminate on the basis of race, color, religion, creed, national origin, familial status, disability, sex, marital status or age (provided the applicant has the capacity to enter into a binding contract). Wyndam of Lawrence Senior Residences additionally will not discriminate against applicants whose income derives from any public assistance program or because the applicant has in good faith exercised his or her rights.