**RESIDENT SELECTION PLAN**

PROPERTY: ABBINGTON AT LINWOOD APARTMENTS

LAFAYETTE, GEORGIA, WALKER COUNTY

FAMILY –ONE, TWO AND THREE BEDROOM UNITS

\*This is a Pet-Free and Smoke-Free Community\*

ABBINGTON AT LINWOOD APARTMENTS is a family property located in Lafayette, GA. Anyone who wishes to rent an apartment must complete an application, and authorize the management firm to verify all information pertinent to eligibility. This property is subject to the LIHTC provisions, as administered by the Georgia Department of Community Affairs (DCA). Applications will be accepted during regular office hours. *An application fee must accompany the application at time of submission. The amount of the application fee is posted in the office and must be a certified check or money order. The fee is non-refundable, except in instances where the applicant moves into the apartment community. The fee will be applied toward the first month’s rent. Note that cash is not accepted.* ***The application fee is not charged to applicants participating in the special 811 targeting program, as described below.***

RESTRICTIONS: - INCOME LIMITATIONS

- PROGRAM ELIGIBILITY

- RENT RESTRICTION

**Screening: Each applicant will be screened as follows:**

1. Program eligibility pertaining to household size, student status, and gross annual

income.

2. History as a good tenant.

3. Credit history to determine ability to meet obligations in timely manner.

4. Criminal history to determine whether the applicant’s and household member(s)’ criminal history is not excluded under the applicable policy.

5. Compliance with local, state and federal law.

6. Sufficient Income available to pay rent, utilities and other living expenses.

**Fair Housing and Equal Housing Opportunity:**

**“The Fair Housing Act prohibits discrimination in real estate related transactions, or in the terms or conditions of such a transaction, because of race, color, religion, sex, national origin, familial status, or disability. The Federal agency that is responsible for enforcing this law is the U. S. Department of Housing and Urban Development. If a person believes that they have been discriminated against in violation of this law, they should contact the U. S. Department of Housing and Urban Development, Washington, D. C. 20410 or call (800) 669-9777.”**

All advertising will be completed as outlined in the Affirmative Fair Housing Marketing Plan, a copy of which is posted on the office bulletin board. Local, state, and federal fair housing and Equal Opportunity laws will be implemented.

**Processing Applications:**

All applications will be placed on the waiting list and immediately processed for eligibility determination. All applicants will be notified in writing of the eligibility determination and given the reason for any adverse action.

Applications may be rejected if

1. They are ineligible under LIHTC program criteria.

2. They are unable to meet occupancy guidelines for the size of the vacant unit.

3. They are unable to meet the owner’s screening criteria. The use of credit reports, police reports and/or previous landlord references may be used in making this decision.

4. They do not provide sufficient information needed to determine eligibility.

5. They provide false information to use in determining eligibility.

# Waiting List:

When an application nears the top of the waiting list, the On-site Manager will begin screening for other tenant selection criteria, i.e., prior rental history, credit reports/references, criminal convictions, and other references. If favorable, the applicant will be contacted to set up an interview for completion of verification forms. If screening indicates an unfavorable rental, credit, criminal history, or reference check, the applicant will be notified accordingly.

Final Approval: Upon receipt of all verifications, the On-site Manager will determine if the applicant remains eligible. If eligible, the applicant is notified that they have been approved for occupancy and are asked to contact management to arrange for future occupancy. If verifications indicate the applicant is not eligible, he/she will be notified in writing. This written notification will:

* Give specific reasons for the proposed action;
* Advise the applicant of the right to respond to the notice or request a meeting with Management within ten (10) calendar days of the notice;
* Advise the applicant of the right to request a reasonable accommodation if he or she feels that the reason for the denial is due to a disability.
* The process set forth in the Affirmative Fair Housing Marketing Plan will be followed in the closing and opening of the waiting list.

Once an applicant is deemed ineligible, the applicant may have to wait 90 days before reapplying.

**Appeal Procedures**

When the applicant is rejected, a written notification will be sent to applicant by certified mail, return receipt requested informing them of the adverse action. The notice will inform the applicant of their right to request an informal/formal hearing. Such request must be submitted in writing to the management office at the site within 14 days of receipt of the adverse decision. Rejection due to program ineligibility has no appeal rights. A copy of the grievance and appeal procedure is posted on the office bulletin board.

**Selection:**

Applicants will be selected from eligible applicants on the waiting list on a first come, first serve basis from the income category of 50% of AMI, or 60% of AMI according to bedroom size and designation of available unit. Section 8 assistance will be accepted for eligible applicants.

Applicants needing specially designed mobility or hearing accessible units will have priority for these units and will be listed on the regular waiting list and on the accessible unit waiting list. Households not needing the specially designed features of the accessible/hearing impaired units will occupy these units only when marketing has been completed and there are no eligible applicants on the accessible unit waiting list. A clause will be inserted in the lease when applicants without need for the accessible features are selected for the accessible units that will require them to transfer to a regular unit if a qualified applicant is placed on the accessible unit waiting list or if an existing resident needs to transfer to an accessible unit.

**Special Targeting:**

The property participates in the HUD 811 Program (HUD 811), which provides affordable and accessible housing for adults between the age of **18 and 62** with disabilities and their family (household income must be at or below **30%** of AMI). The program is operated by the Georgia Department of Community Affairs (DCA) in partnership with the Georgia Department of Behavioral Health and Disabilities (DBHDD) and the Georgia Department of Community Health (DCH). Six units at Abbington at Linwood (10 % of the total units) are set aside for this program. Until this percent of units is reached (or until DCA “releases” the units), those applicants will be offered units ahead of anyone else on the waiting list.

For more information on the HUD 811 Program, visit:

<http://www.dca.ga.gov/housing/specialneeds/programs/section811pra.asp>

# Screening:

Credit History: Credit reports will be obtained for all applicant household members who are 18 years of age or older. The credit report must demonstrate that the applicant has paid financial obligations as agreed. Monies owed for medical related expenses will be disregarded.

A third-party screening company retrieves credit records and independently assesses an applicant’s credit performance, assigning greater weight to activity reported over the most recent 24-month period. An applicant may be rejected if the report demonstrates a history of poor credit with little or no effort made to address the outstanding debts.

An applicant will be denied if the credit report shows:

* Unpaid balance(s) owed to current or previous landlord(s).
* Outstanding debt to a utility company that would prohibit the applicant from establishing utility service in his/her name prior to move-in. Applicants may be re-considered if they provide evidence the debt has been paid and the utility company will provide service.
* A bankruptcy that has not been discharged.

Should the applicant be rejected based on credit, the Landlord will provide the applicant with the name and contact information of the credit reporting agency. All applicants may appeal the rejection and if disabled, may request a reasonable accommodation.

Landlord Reference: Applicants may not be rejected for lack of rental history, but may be rejected for unsatisfactory rental history. Any applicant who has been evicted for nonpayment of rent, damages, or material noncompliance will not be accepted. Any applicant who owes past due funds to a previous landlord will be rejected until all funds that are past due have been paid in full.

Criminal History: All applicants and adult household members will be screened for criminal history prior to move-in. If rejected based on criminal screening, a Notification to Applicant Letter will be given to the applicant, explaining their right to a hearing to provide any mitigating circumstances.

# A copy of the *Criminal History Policy* is available upon request.

# Security Deposit:

A security deposit will be due when a unit becomes available and is accepted by the applicant.

# Occupancy Standards:

# The occupancy standard is posted on the office bulletin board.

**Miscellaneous Information:**

Applicants will be required to show proof of citizenship or qualifying non-citizen status and social security numbers for each member of the household.

The rental unit leased by the Household must be their only residence.

A live-in aide may reside with an elderly or disabled resident when it is determined essential to the care and well-being of the resident. An aide is not obligated for the support of the resident and would not be living in the apartment except to provide the necessary supportive services. A spouse of the tenant cannot be a caregiver. A Caregiver cannot bring his or her family members or pets into the household.

Management’s Compliance Director must approve all live-in aides, transfers, and the addition of additional occupants to the Household other than by birth or adoption of a child. Internal transfers have priority over the waiting list selection. In order to transfer, residents must meet income and student eligibility requirements.

Foster children and unborn children are counted in determining household size and income limitations. Children of parents with joint custody and who reside in the unit at least 50% of the time may be counted for household size and income limitations and are members of the household. Permanently institutionalized family members may be counted as members of the household, and if counted, their income is considered as part of the gross annual income.

Transient units are not available.

\*This is s pet-free Community. However, assistance animals may be requested and approved as a reasonable accommodation for disabled applicants/tenants with proper documentation. For approved assistance animals, a pet deposit may not be charged.

Dependents away at school who live with the family during school recess may be counted as part of the Household. Persons on active military duty who are head of household will be counted as a member of the household and their income will be counted except the portion designated as hazardous duty pay. Dependents who go on active military duty are not counted in considering bedroom size and are not considered members of the household.

Transfer Policy: Unit transfers may occur for the following reasons:

* + Changes in family size or composition (over- or under-housed families);
  + A medical reason certified by a doctor;
  + As a reasonable accommodation to a disability; or
  + The need for an accessible unit.
  + VAWA related Emergency transfer

When management determines the need for a unit transfer, the household will be informed in writing that they have been added to the transfer list. Households requesting a transfer must submit their request in writing. Other than a medical/reasonable accommodation, a transfer fee may be charged. Existing residents approved for a unit transfer are given priority over applicants when an appropriate unit becomes available.

Income and Tax Credit Information: HUD Income chart for the area is posted on the bulletin board. Low Income Housing Tax Credit restricted rents are also listed on the bulletin board. Rent increases will be implemented only as outlined in the Lease.

Initial certification is required for all households prior to move-in. Annual recertification is required on all LIHTC units. Leases are required for a term of at least twelve (12) months.

The applicant may withdraw his/her application at any time.

Applicants may request reasonable accommodations at time of move-in and residents may request reasonable accommodations anytime following move-in. These requests must be in writing and submitted to the site office manager for approval consideration from a higher level of management.

**Violence Against Women Act (VAWA):**

This property will not refuse to admit an applicant or rent to an applicant based on acts or threats of violence committed against the applicant. Also, criminal acts directly related to the domestic violence, dating violence, sexual assault, or stalking that are caused by a member of a resident’s household or guest will not be the reason for evicting the victim or terminating assistance. Applicants or residents who believe their landlord history or resident status should include consideration of VAWA rights should notify the property manager who will process the request according to federal regulations.

**Smoke Free**

In order to promote a safe and healthy living environment, Abbington at Linwood Apartments operates as a smoke-free community. Residents are prohibited from smoking in their apartment or anywhere on the property including in their vehicles while parked on Abbington at Linwood property. This smoke-free policy applies to all residents, members of resident’s household, guests, and visitors. For the purposes of this policy, the term “smoking” means inhaling, exhaling, breathing, or carrying any lighted cigar, cigarette, pipe or other tobacco product or similar lighted product in any manner or in any form.

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