DESERT SAGE APARTMENTS II

TENANT SELECTION CRITERIA

Thank you for considering **DESERT SAGE APARTMENTS II** as your next residence**. DESERT SAGE APARTMENTS II** is a multifamily housing property that provides affordable units to households earning **60%** and below the area median income in Pinal County. This property is designated as an elderly property, meaning qualified households must include a tenant, co-tenant or spouse who is age 62 years or older and/or disabled of any age.

This property is funded by the USDA Rural Development Multifamily Housing program and Section 42 of the IRC Low-Income Housing Tax Credit (LIHTC) program. Eligible households must qualify under the restrictive income limits and regulations set out by this program.

For rental inquiries or other information, please contact us using the information below.

Phone: (520) 827-1757
Fax: (520) 200-0285
Website: www.viridianmgt.com
Property Email: ds2k@viridianmgt.com
Location: 621 Danbury Road
Kearny, AZ 85137

OCCUPANCY STANDARDS

Size	Minimum No. of Occupants	Maximum No. of Occupants
1 bdr	1	3
2 bdr	2	5

RENT

The following information is subject to change prior to execution of rental agreement. Rents are subject to change annually. Please speak to the site manager for current rental rates. The following are minimum and maximum amounts. The actual rental amount charged will depend on unit size and other program qualifications.

Rents range from $0 to $1,101.

SECURITY DEPOSIT

The following information is subject to change prior to execution of rental agreement. Security Deposits are subject to change annually. Please speak to the site manager for current Security Deposit rates. The following are minimum and maximum amounts. The actual Security Deposit amount charged will depend on unit size.

Security Deposits range from $905 to $1,101.

EQUAL HOUSING OPPORTUNITY

WAITING LIST

The waiting list is open. Applications may be submitted in person to the leasing office or via mail, email, or fax. In addition, interested parties may apply online through the property listing at **www.viridianmgt.com**. If a disability prevents you from accessing an application or submitting it through one of the above options, please contact the leasing office so a reasonable alternative method for completing and submitting your application can be determined.

GOOD FAITH ESTIMATE

Approximate number of units currently available, or will in the foreseeable future, be available: 1 estimated unit(s) available.

Approximate number of applications previously accepted, and currently on the waiting list in consideration for those unit(s) available: 1 applications on waiting list.

SCREENING

Each adult must be screened for credit, criminal and eviction background checks when the application is selected from the waiting list for prospective tenancy. Landlord has charged a screening charge as described below. Landlord may obtain a consumer credit report and/or investigative consumer report which may include checking an applicant's credit, income, employment, rental history, and criminal background. This may include information as to their character, general reputation, personal characteristics and mode of living. You have the right to request additional disclosures provided under Section 606(b) of the Fair Credit Reporting Act and a written summary of your rights pursuant to Section 609 (c). You have the right to dispute the accuracy of the information provided to the Landlord by the screening company or the credit reporting agency as well as complete and accurate disclosure of the nature and scope of the investigation.

SCREENING REPORT PER ADULT

Screening Cost: $26 per adult

Although we are solely responsible for our rental decision, it was based in whole, or in part, on information contained in a tenant screening report provided to us by:

RentGrow, Inc.
177 Huntington Ave, Suite 1703 #74213
Boston, MA 02155-3153
(800) 898-1351
www.rentgrow.com

1. Policy – Nondiscrimination and Accommodations

Viridian Management is committed to Fair Housing Policy and Equal Housing opportunity for prospective applicants. Viridian Management may not discriminate against an applicant because of race, color, religion, sex (gender), national origin, disabled status, familial or marital status, source of income, status as victim of domestic violence, sexual orientation, gender identification, or age. Viridian does not discriminate on the basis of disabled status in the admission or access to, treatment of, or employment in, its housing, programs or activities. Viridian complies with requirements of the Fair Housing Acts, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA) and all applicable federal, state or local laws.

Under the provisions of Section 504 of the Rehabilitation Act of 1973, a person with a disability shall be provided with a reasonable accommodation to the extent necessary to provide such person with an opportunity to use, enjoy and occupy the apartment and apartment premises. A verification of disability as well as linking the accommodation to disability may be required. Under federal and state law, an individual is disabled if he/she has a physical or mental impairment that substantially limits one or more major life activities, including: walking, seeing, hearing, speaking, breathing, thinking, communicating, learning, performing manual tasks, and caring for oneself. Applicants should contact the manager for further clarification related to reasonable accommodations, or how to make a request for reasonable accommodation.

2. Application and Waiting List

All persons interested in Viridian-managed housing may request an application either in person, or through a designated individual, at the local on-site or regional designated site office during posted office hours; or request an application to be mailed by calling the local phone number listed on the cover sheet of this document. Fax requests for applications may be sent to the fax number listed on the cover sheet of this document. TTY telecommunication is available by calling the national relay number 711. It is Viridian Management's policy to assist wherever possible especially in the accommodation requests by persons with disabilities; applicants may request assistance in completing the application if necessary.

An application must be completed **in full** by the applicant. Applications may be submitted in person to the leasing office or via mail, email, or fax. In addition, interested parties may apply online through the property listing at **www.viridianmgt.com**. If a disability prevents you from accessing an application or submitting it through one of the above options, please contact the leasing office so a reasonable alternative method for completing and submitting your application can be determined. All applicants will be contacted in writing within 14 days of receipt of the application, to inform them of the status of their application. Applicants are placed on the waiting list, in order, by date and time the completed application is received.

Applicants that submit incomplete applications will be placed on the waitlist and contacted by mail with a request to complete the application in full. If the incomplete application is not returned completed within 10 days of notification, the household will be removed from the waiting list and sent notice of the removal.

Periodically, the manager will send 10-Day Waiting List Update letters out to all applicants on the waiting list to determine continued interest. Recipients of this letter have 10 days to respond. If no response is received within 10 days, the manager will send the applicant a letter to notify them that they

have been withdrawn from the waiting list. Applicants that respond and wish to be removed from the waiting list will be removed and sent a letter informing them that they have been withdrawn from the waiting list.

When the manager contacts an applicant to determine continued interest, the applicant will be asked if there is anything on the application that needs to be changed. If the applicant indicates that the information provided has changed, the site manager will schedule an appointment for the applicant to update the application. The application may be updated at an in-person meeting, via email, mail, fax, or by phone. If a disability prevents you from submitting an updated application through one of the above options, please contact the leasing office so a reasonable alternative method for completing your application update to provide the necessary information changes can be determined.

Applicants sent a Notice of Available Unit may refuse to begin processing for eligibility for that unit one time. The household will be skipped for that unit, but remain on the waiting list by their original application date. Applicants that refuse the second offered unit will be sent a notice of withdrawal from the waiting list, unless the applicant can demonstrate a need to turn down the unit due to an extenuating circumstance outside of their control. Additionally, if the property has project-based rental assistance but not available to all units, the applicant may request to remain on the waiting list until a unit with rental assistance becomes available.

Finally, if notices mailed to the applicant are returned as undeliverable, management will attempt to contact the applicant by any provided phone number or email address to obtain updated mailing information. If these attempts to contact the applicant fail, the household will be withdrawn from the waiting list.

All applicants must be willing to sign a release form to authorize verification of all items contained in the application, inclusive of; all income, assets and allowances along with credit, personal and landlord references. All households must provide positive identifications, as required by the funding program related to this project, of all persons who will be part of the household. Preliminary eligibility will be satisfied by using information on the application; placement of an application on the waiting list does not denote final tenant selection. Applicants may request information concerning the current status of their application by writing or calling the local site office at the number listed on the first page of this document or the Central Office at 1(541) 426-3820.

Applicants who have indicated the need for and requested the features of an accessible unit designed to assist individuals with disabilities, and have verified the need for the features of this type of unit and meet the definition of disabled, will have priority for those units. In the event, no households apply who would benefit from the features of an accessible unit, it will be offered to a non-disabled and income-eligible person on the waiting list. In this circumstance the applicants, as tenants, will be asked to sign a lease addendum agreeing to transfer (at their own expense) to another unit should an appropriately sized unit become available, and if there are households needing the features of the accessible unit.

Any applicant who requests modifications or accommodations related to their disability to non-adapted units will have consideration on those requests when selected, but with no priority for selection.

3. NUMBER OF OCCUPANTS

The number of occupants residing in the unit must be in accordance with unit density standards as set forth by the Owner/Manager. In determining unit density standards, the intent of property policy is to

neither overcrowd nor underutilize space. Different properties may have different density standards depending on federal or state funding for the property, bedroom sizes, unit square footage and any local ordinances and restrictions; see page one for a table of the unit density standards. The Owner/Manager may change the unit density standard during the lease term if changes in laws, ordinances or regulations make such change necessary.

Households who become under or over-housed due to changes in household composition or changes in local, state or federal ordinances or restrictions will be asked to transfer to a more suitably sized unit within 30 days. If there are no suitably sized units existing at the property, the household will be asked to vacate the property within 30 days or at the end of their lease, whichever is longer. The unit density standard is based on the number of persons in the household and includes all full-time members of the household, persons who are away at school but live with the applicant at recesses, unborn children or children in the process of being adopted or secured by custody action, foster children and live-in attendants. Children who live in a household 50% of the year or more are also counted; however, visitors, permanently confined/institutionalized household members and individuals on active military duty are not counted in this determination for occupancy eligibility.

A disabled applicant who would need a larger unit to accommodate a disability would be given such consideration, even if disallowed by the property unit density standard. For specifically designed units (i.e. barrier free), applicants needing those features would be given priority even if occupancy would otherwise be considered underutilization.

4. ELIGIBILITY – GENERAL

Applicants who meet the income/occupancy guidelines and have come to the top of the income and/or other preference lists still must meet all other eligibility criteria before being approved to move in. Management will notify the applicant when their application is ready to be processed for residency. Applicants will receive notice that they must contact the manager within 10 days to begin processing or they will be issued a letter of withdrawal from the waiting list.

Applicants, in addition to any property program requirements, must also meet application, interview and reference criteria as defined below.

Applicants who have been rejected for occupancy will receive a letter detailing any applicable appeal rights and a description of the reasons for the rejection.

As previously stated, any application which is incomplete will not be processed if the applicant fails to respond to the incomplete application notice within 10 days of notice. An applicant who refuses to sign any release to allow the verification of all items contained in the application, including all income, assets and allowances along with credit, personal and landlord references, will be withdrawn from the waitlist and sent notice of withdrawal.

Applicants who exceed the maximum allowable income limits or unit density standards for a property, or who are found to have provided false answers on the application or at the interview, will be rejected.

Applicants who fail to come to a scheduled interview, unless there are extenuating circumstances, or who come to the interview under the influence of illegal drugs, intoxicated, or whose conduct is abusive, threatening, or disruptive will be rejected.

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 member's 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' will be rejected. Any household if there is reasonable cause to believe that member's behavior, from abuse or pattern of abused of alcohol, may interfere with the health, safety and right to peaceful enjoyment by other residents will be rejected.

Applicants will be rejected if it is determined that their presence or the presence of any of their household members would create an unsafe environment

Total monthly unit rent should not exceed 50% of the household's net income (income after withholdings required by law or as a condition of employment). Food stamps will be included in the household income for this calculation. This requirement is waived if a portion of the rent will be paid by a rental subsidy. Applicants should contact the property manager if further explanation is required.

Applicants who wish to be a tenant or co-tenant must possess the legal capacity to sign all documents unless an accommodation determination for the individual to allow a guardian signature, if otherwise eligible, is made.

5. ELIGIBILITY – CRIMINAL HISTORY

Upon receipt of the Rental Application and screening fee, Landlord will conduct a search of public records to determine whether applicant or any proposed resident or occupant has a "Conviction" (which means: charges pending as of the date of the application; a conviction; a guilty plea; or no contest plea), for any of the following crimes as provided: drug related crime; person crime; sex offense; crime involving financial fraud, including identity theft and forgery; or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment of the premises of residents, the landlord or the landlord's agent. Landlord will not consider a previous arrest that did not result in a Conviction or expunged records.

If applicant, or any proposed occupant, has a Conviction in their past which would disqualify them under these criminal conviction criteria, and desire to submit additional information to Landlord along with the application so Landlord can engage in an individualized assessment (described below) upon receipt of the results of the public records search and prior to a denial, applicant should do so. Otherwise, applicant may request the review process after denial as set forth below, however, see item (c) under "Supplemental Evidence Individualized Assessment Review Process" below regarding holding the unit.

A single Conviction for any of the following, subject to the results of any review process, shall be grounds for denial of the Rental Application.

a. Felonies involving: murder, manslaughter, arson, rape, kidnapping, child or other violent/predatory sex crimes or manufacturing or distribution of a controlled substance.
b. Felonies not listed above involving: drug-related crime; person crime; sex offense; crime involving financial fraud, including identity theft or forgery; or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment

of the premises of the residents, the landlord or the landlord's agent, where the date of disposition has occurred in the last seven (7) years.

c. Misdemeanors involving: drug-related crimes, person crimes, sex offenses, domestic violence, violation of a restraining order, stalking, weapons, criminal impersonation, possession of burglary tools, financial fraud crimes, where the date of disposition has occurred in the last five (5) years.
d. Misdemeanors not listed above involving: theft, criminal trespass, criminal mischief, property crimes or any other crime if the conduct for which applicant was convicted or is charged is of a nature that would adversely affect property of the landlord or a tenant or the health, safety or right of peaceful enjoyment of the premises of the residents, the landlord or landlord's agent, where disposition has occurred in the last three (3) years.
e. Conviction of any crime that requires lifetime registration as a sex offender, or for which applicant is currently registered as a sex offender, will result in denial.

Supplemental Evidence Individualized Assessment Review Process

Landlord will engage in an individualized assessment of the applicants, or other proposed occupants, Convictions if applicant has satisfied all other criteria (the denial was based solely on one or more Convictions) as required by local, state and federal law, and:

a. Applicant has submitted supporting documentation prior to the public records search; or
b. Applicant is denied based on failure to satisfy these criminal criteria and has submitted a written request along with supporting documentation. Supporting documentation may include:
    i. Letter from parole or probation office;
    ii. Letter from caseworker, therapist, counselor, etc.;
    iii. Certifications of treatments/rehab programs;
    iv. Letter from employer, teacher, etc.
    v. Certification of trainings completed;
    vi. Proof of employment; and
    vii. Statement of the applicant.

Landlord will also perform an individualized assessment if no supplemental information is received as required by any local, state or federal law. Landlord will:

a. Consider relevant individualized evidence of mitigating factors, which may include: the facts or circumstances surrounding the criminal conduct; the age of the convicted person at the time of the conduct; time since the criminal conduct; time since release from incarceration or completion of parole; evidence that the individual has maintained a good tenant history before and/or after the conviction or conduct; and evidence of rehabilitation efforts. Landlord may request additional information and may consider whether there have been multiple Convictions as part of this process.
b. Notify applicant of the results of Landlord's review within a reasonable time after receipt of all required information.
c. Hold the unit for which the application as received for a reasonable time under all the circumstances to complete the review unless prior to receipt of applicant's written request (if made after denial) the unit was committed to another applicant.

6. ELIGIBILITY – CREDIT HISTORY

To determine eligibility, credit history will be reviewed; however, lack of credit history will not be cause for denial. Credit reports containing unpaid utility collections or judgements (at properties with tenant

paid utilities) or other housing-related debt will be cause for denial. Cable, cell phone, and internet debts are not considered utility or housing related expenses.

If you can provide proof of extenuating circumstances around specific debts, or can demonstrate actively working on debt resolution goals, it will be taken into consideration during the application review process.

7. Eligibility – Public Records and Rental References

Third party rental history will be verified. Please provide references that can be contacted. Lack of rental history will not be cause for denial. Some applicants may have no previous, or current, rental or credit references, but can still offer personal non-related references. Public records or rental history, including but not limited to, the following may be grounds for rejection of your rental application:

a) Eviction from a residence within the past five years. Please note that evictions, unpaid rent (including rent reflected in judgments) or referrals of debt to a collection agency that accrued on or after April 1, 2020 and before March 1, 2022 will not be considered.

b) Rental references which indicate the applicant caused significant damage to the unit, vacated the unit owing rent, were late paying their rent on three or more occasions within one year, caused disturbances at the rental on more than one occasion, or maintained their unit in an unsanitary condition.

c) References indicating the applicant used the rental for illegal activities or were found in non-compliance of their lease agreement on three or more occasions during the tenancy.

Applicants should be honest and disclose any information that may provide further context for an eviction, including past extenuating circumstances such as job loss and/or major medical. Successful completion of an approved second chance renters program, or proving circumstances that led to an eviction no longer exist, will be taken into consideration during the application review process.

Any rejection would be issued in a written statement to the applicant with notification of Grievance and Appeal rights, when applicable.

8. Transfer Policy

Current tenants requiring a unit transfer for the following reasons will be logged on an in-house transfer waitlist and given preference for appropriate units over those on the applicant waitlist and the in-house transfer waitlist. Households with the need for a fully adapted, accessible unit, and those transferring under the protections on the Violence Against Women Act (VAWA) are given priority on the in-house waitlist. Tenants must be pre-approved to transfer, and must meet tenant selection criteria, occupancy standards and program regulation as apply to the desired unit.

a) A unit transfer for an accessible unit for a medical reason certified by a qualified professional, if disability is not apparent;
b) A unit transfer in accordance with the VAWA Emergency Transfer policy;
c) A required unit transfer due to family size or changes in family composition;

d) A unit transfer for reasonable accommodation for a medical reason certified by a qualified professional, if disability is not apparent.

Current tenants requesting a unit transfer for any other reason that unit occupancy standard, reasonable accommodation, and VAWA protections will be added to the transfer waiting list and selected in order by date of request, after those with the priorities listed above are appropriately housed. Tenants must be pre-approved to transfer, and must meet tenant selection criteria, occupancy standards and program regulation as apply to the desired unit. In some cases, the household may be required to establish program and income eligibility for the desired unit if certain funding sources exist. Consideration and approval of transfer requests will be based on the following criteria, in addition to any funding requirements:

a) Household must have been in residency at the property for at least one year;
b) Tenants must be in good standing. Rent and other charges must be current and rental payment history is positive;
c) Housekeeping history is satisfactory, and tenants have a positive tenancy record without ongoing or egregious lease violations.

Upon notification of an available unit, a tenant may refuse an apartment twice. In the event that a tenant refused an apartment a third time, the individual will be removed from the in-house transfer list and the request denied for that reason.

9. RENTERS INSURANCE

Viridian Management strongly encourages that all tenants have a renter's insurance policy in effect for their lease term. If a tenant declines to obtain a renters insurance policy, the tenant agrees to hold the Landlord/Owner or any representative of the Landlord Owner harmless of any damage, theft, or loss that may occur to the tenant's personal possessions while leasing the unit. Renter's Insurance is recommended, but not required.

10. VAWA-VIOLENCE AGAINST WOMEN ACT

That an applicant is or has been a victim of domestic violence, sexual assault, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission, if the applicant otherwise qualifies for admission.

In determining eligibility for housing in cases where the Agent, acting on behalf of the Project Owners, has become aware that the household includes a victim of domestic violence, and when screening reveals negative and potentially disqualifying information, such as poor credit history, previous damage to an apartment, or a prior arrest, inquiries will be made regarding the circumstances contributing to this negative history, to ascertain whether these past events were the consequence of domestic violence against a member of the applicant household.

Any such inquiries will make clear that members of applicant households have a right to keep any history of domestic violence against them confidential.

When inquiries reveal that the negative history was the consequence of domestic violence, sexual assault, dating violence, or stalking against a member of the applicant household, the applicant household will not be denied housing assistance on the basis of this reporting, provided that the perpetrator of domestic violence is not a member of the applicant household.

The Agent may ask for documentation establishing that the negative history was the consequence of domestic violence, sexual assault, dating violence, or stalking. The applicant shall have fourteen business days (i.e. weekends and holidays will not count in determining the deadline) to provide such documentation. The Agent may grant extensions to the fourteen-day-deadline if the applicant demonstrates good cause. The applicant can satisfy the documentation requirement in any of the following ways:

1) Completing a certification form verifying that the individual is a victim of domestic violence, dating violence, or stalking, and that the incident or incidents in question are bona fide incidents of actual or threatened abuse. Such certification shall include the name of the perpetrator, if it is known; OR

2) Providing documentation signed by any of the following third parties:
   a) an employee, agent, or volunteer of a victim service provider;
   b) an attorney;
   c) a medical professional; or
   d) other knowledgeable professional.

   The person signing the documentation must have assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of the abuse. The person signing the documentation must attest under penalty of perjury to his or her belief that the incident or incidents in question are bona fide incidents of abuse. The victim of domestic violence, sexual assault, dating violence, or stalking must also sign the documentation; OR

3) Producing a Federal, State, tribal, territorial, or local police or court record.

All denial of assistance letters will notify applicants of VAWA's protections and that they may seek an informal review if they believe that the denial of assistance was related to acts of domestic violence, sexual assault, dating violence, or stalking committed against the applicant.

If because of safety concerns a victim of domestic violence, sexual assault, dating violence, or stalking is unwilling or unable to provide information or identification ordinarily required to confirm eligibility, efforts will be made to otherwise establish eligibility and alternative sources and methods of verification will be accepted.

11. NON-DISCRIMINATION

No person, applicant or resident shall be discriminated against or segregated on the basis of race, color, religion, national origin, disability, age, sex (gender), familial or marital status, source of income, status as victim of domestic violence, sexual orientation or gender identification. Applications may not be rejected, and applicants and/or residents may not be denied housing, treated differently than others, harassed, or evicted from housing based on any of these discriminatory criteria.

To report a fair housing complaint, please contact:

237 W Main Street Ste. 204
Mesa, AZ 85201
contact@azfhc.org
602-548-1599

Alternatively, you may call HUD at 800-877-0246.

USDA RD SELECTION CRITERIA

This document is intended to be an addendum to the Tenant Selection Criteria. It explains additional selection criteria based on requirements posed to the owner/agent by state and/or federal regulations due to funding used in the construction, acquisition and/or rehabilitation of the property.

Applicants who do not meet USDA Rural Development income limits will be rejected (see page one of the Tenant Selection Criteria for more information).

Where there is layered funding at a property and conflicting tenancy criteria, the most restrictive standards will be used.

1. STUDENTS

Project Eligibility:

1. A student household is not eligible for tenancy except where:
    a. The student is of legal age in accordance with the applicable state law or is otherwise legally able to enter into a binding contract under state law;
    b. The person seeking occupancy has established a household separate and distinct from the person's parents or legal guardians;
    c. The person seeking occupancy is no longer claimed as a dependent by the person's parents or legal guardians pursuant to Internal Revenue Service regulations, and evidence is provided to this effect; and
    d. The person seeking occupancy signs a written statement indicating whether or not the person's parents, legal guardians, or others provide any financial assistance and this financial assistance is considered as part of current annual income and is verified in writing by the borrower.

Eligibility for the USDA RD rental assistance program (if applicable):

1. Assistance shall not be provided to households where any household member:
    a. Is enrolled as either a part-time or full-time student at an institution of higher education for the purpose of obtaining a degree, certificate, or other program leading to a recognized educational credential;
    b. Is under the age of 24;
    c. Is not married;
    d. Is not a veteran of the United States Military;
    e. Does not have a dependent child;
    f. Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving section 8 assistance as of *November 30, 2005.* (See Definition E in Figure 3-6);
    g. Is not living with his or her parents who are receiving Section 8 assistance; and
    h. Is not individually eligible to receive Section 8 assistance and has parents (the parents individually or jointly) who are not income eligible to receive Section 8 assistance.

1. For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), the student must demonstrate the absence of, or his or her independence from, parents. While owners may use additional criteria for determining the student's independence from parents, owners must use, and the student must meet, at a minimum all of the following criteria to be eligible for Section 8 assistance. The student must:
    a. Be of legal contract age under state law;
    b. Have established a household separate from parents or legal guardians for at least one year prior to application for occupancy, or, meet the U.S. Department of Education's definition of an independent student;
    c. Not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations; and
    d. Obtain a certification of the amount of financial assistance that will be provided by parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.
2. If an ineligible student is a member of an existing household receiving assistance, the assistance for the household will not be prorated but will be terminated.

2. INCOME TARGETING

USDA Rural Development regulations give priority for available units first to households who have an annual income at or below 50% of the area median income (Very Low), second to households who have an annual income at or below 80% of the area median income (Low), then to households who have an annual income at the Low-income plus $5,500 (Moderate).

Priority for assigning available rental assistance follows these guidelines: First priority is always to eligible very low-income tenants paying the highest percentage of their adjusted annual income in shelter costs. Second priority is to very low-income applicants on the waiting list, considering the applicant's unit size and type needed. Third priority is to eligible low income-tenant paying the highest percentage of their adjusted annual income in shelter costs. Fourth priority is to eligible low-income applicants on the waiting list. Final priority is to households that are residing in a rental unit for which they don't qualify on the basis of an occupancy waiver or other special approval situations.

3. UNIT DENSITY

The unit density standard is listed on page one of the Tenant Selection Criteria. The Owner/Manager will make exceptions to the minimum number of occupants in the unit density standard should there be any instance where there are applicants on the waiting list but none who would qualify for the larger unit size. In this case the applicant would have to sign an agreement to transfer to a more suitably sized unit, at their own expense, when one comes available in accordance with paragraph 3 of the Tenant Selection Criteria, Number of Occupants.

4. TRANSFERS BETWEEN UNITS

Transfers between units will be authorized only if: required due to a reasonable accommodation, changes in family size or composition, the over or under-utilization of the unit or a transfer is needed to maintain an appropriate unit mix if the household's income coincides with a specific income set-aside of another unit. Transfers based on other compelling reason may also be approved by management after

verifying that the existing household does not have any record of lease violations, late rent payments and the unit is being maintained in accordance with the lease agreement.

5. DISCLOSURE OF SOCIAL SECURITY NUMBER

Family members 6 years of age and older must provide the borrower with a complete and accurate social security number. For any members of the family who do not have a social security number, the applicant or family member must certify that the individual has never received a social security number.

6. HARDSHIP EXEMPTION FOR HEALTH/MEDICAL CARE EXPENSES AND REASONABLE ATTENDANT CARE AND AUXILIARY APPARATUS EXPENSES-GENERAL RELIEF

A household claiming medical, or disability assistance expenses, may only deduct as an expense, the amount of the expense that exceeds 10% of the household's gross annual income. In order to claim unreimbursed health and medical care expenses, the family must have a head, co-head, or spouse that is elderly or a person with disability. In order to claim unreimbursed reasonable attendant care and auxiliary apparatus expenses, the family must include a person with a disability, and the expenses must enable any member of the family (including the member who is a person with disability) to be employed.

If a change in circumstance, such as a large medical bill or loss of income, results in a household's inability to pay rent the household can request a general hardship exemption to allow the household to deduct (as an expense) that amount of the expense that exceeds 5% of the household's gross annual income. An increase in health and medical care, reasonable attendant care, and auxiliary apparatus expenses constitute a qualifying eligibility factor, so long as it exceeds 5% of the household's annual income. All expenses must meet the definition of health, medical care, reasonable attendant care, and auxiliary apparatus' per 24 CFR 5.

If granted, a hardship exemption would allow the household to deduct medical or disability assistance expenses in excess of 5% for a 90-day period. After the conclusion of the 90-day period, the household's income and rent will be recalculated, and a 30-day notice of rent increase will be provided (if applicable). A household may not request an extension, and General Relief will end without any further notice and a 30-day notice of rent increase will be provided (if applicable).

In order to be eligible for the exemption, a household must:

- Demonstrate that the household has experienced a hardship such as loss of income, decrease in household size, large medical expense, etc. Expenses must be third party verified.
- The completion of a Zero Income Checklist in which the household's income and living expenses are listed. Income must be third party verified. This must show that the household's total tenant payment, plus the expense amount, exceeds 45% of the household's adjusted income.

Management will provide written notification within 7 days to notify a household whether the exemption or extension of exemption is approved or denied. If the exemption is approved, the notice will state when the exemption begins and when the 90-day hardship exemption period expires. It will also include the change in rent resulting from the adjusted income change. Households must report any change in circumstance of the hardship in which they may no longer qualify for the exception. At that time, the household will receive written notice within 7 days, which states the termination date of the hardship and a 30-day notice of rent increase. Management will notify the household in writing, within

7 days, if they are denied the initial hardship exemption. The notification will state, for the household the reason for denial.

7. Hardship Exemption For Health/Medical Care Expenses and Reasonable Attendant Care and Auxiliary Apparatus Expenses-Phased In Relief

All families who received a deduction for unreimbursed health and/or medical care and/or reasonable attendant care or auxiliary apparatus expenses based on their most recent income review prior to July 1st, 2025 will begin receiving the 24-month phased in relief at their next annual or interim recertification, whichever occurs first, on or after the date Management complies with HOTMA.

Families who received phased-in relief will have eligible expense deducted as follows:

- 1st 12 months: in excess of 5% of annual income.
- 2nd 12 months: in excess of 7.5% of annual income.
- After 24 months: in excess of 10% threshold will phase in and remain in effect unless the family qualifies for general relief.

Once a household chooses to obtain general relief, a household may no longer be eligible for phased in relief. Management will not continue phased-in relief for new admissions.

8. Hardship Exemption To Continue Childcare Expenses

If a household claims child care expenses to allow an adult household member to work or go to school, and the household's eligibility for the expense is ending as the household member is no longer working or going to school, a hardship exemption may be requested during the time of annual or interim recertifications. The hardship exception will only be granted if the loss of the expense would result in the household's inability to pay rent. When a household requests a hardship exemption to continue receiving a childcare expense deduction that is ending, Management must recalculate the family's adjusted income. The expense will continue if the household demonstrates the inability to pay rent because of the loss of the childcare expense and the ability to show the deduction is still necessary even though the family member is no longer working, looking for work, or furthering their education. If the household is granted a hardship exemption the household will be able to continue the expense for a 90-day period. After the conclusion of the 90-day period, the household's income and rent will be recalculated, and a 30-day notice of rent increase will be provided (if applicable). A household may not request an extension, and child care expenses will end without any further notice and a 30-day notice of rent increase will be provided (if applicable).

In order to be eligible for the exemption, a household must:

a. Demonstrate why the childcare is still needed, even though the household member is no longer working or going to school. Examples may include, but are not limited to, health treatments, care of family members, loss of childcare if placement is not maintained, maintaining spot on child care waiting list, etc.
b. The completion of a Zero Income Checklist in which the household's income and living expenses are listed. Income sources must be third party verified. This must show that the household's total tenant rent payment, plus the expense amount, would exceed 45% of the household's adjusted income, when the expense is removed.

Management will provide written notification to a household within 7 days to notify households whether or not the exemption or extension of exemption is approved or denied. If the exemption is approved, the notice will state when the exemption begins and when the 90-day hardship exemption period expires. It will also include the change in rent resulting from the adjusted income change. Households must report any change in circumstance of the hardship in which they may no longer qualify for the exception. At that time, the household will receive written notice within 7 days, which states the termination date of the hardship and a 30-day notice of rent increase (if applicable). Management will notify the household in writing, within 7 days, if they are denied the initial hardship. The notification will state, for the household, the reason for denial.

9. NON-DISCRIMINATION

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs (including Landlord) are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, source of income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Landlord follows all federal, state and local laws related to non-discrimination.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a complaint of discrimination, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) Fax: (202) 690-7442; or

(3) Email: program.intake@usda.gov.

This institution is an equal opportunity provider.

LIHTC (IRC SECTION 42) SELECTION CRITERIA

This document is intended to be an addendum to the Tenant Selection Criteria. It explains additional selection criteria based on requirements posed to the owner/agent by state and/or federal regulations due to funding used in the construction, acquisition and/or rehabilitation of the project.

Applicants who do not meet LIHTC income limits will be rejected.

Where there is layered funding at a project and conflicting tenancy criteria, the most restrictive standards will be used.

1. STUDENTS

The LIHTC program prohibits the rental of set-aside units to entirely full-time student households not qualifying for a specific exception.

A. Student Defined.

A Student is defined as "an individual who during each of five calendar months during the calendar year is a full-time student at an educational institution."

A full-time student is one who is enrolled for some part of five calendar months for the number of hours or courses, which is considered to be a full-time attendance. The five calendar months need not be consecutive. School attendance exclusively at night does not constitute full-time attendance. However, full-time attendance at an educational institution may include some attendance at night in connection to a full-time course of study.

In addition, individuals pursuing a full-time course of institutional on-farm training under the supervision of an accredited agent of such educational institution, of a state or political subdivision of the state, are also deemed full-time students.

B. Student Status Exemptions.

As a general rule, the household may not be occupied in its entirety by full-time students. Thus, if any one single individual in the household is not a full-time student, the application will still qualify under the student status requirements.

If all household members are full-time students, the applicants may still qualify for residency if:

- The students are married and file a joint federal income tax return. A copy of the joint tax return or marriage license should be included in the file; or
- The household consists of a single parent (with custody) and a school age child or children, all of whom are not dependents of a third party; or
- One or more of the students receive assistance under the TANF program as such program activities and participation are related to families with dependent children; or
- One or more students is enrolled in and receiving assistance under the Workforce Investment Act or similar governmental job-training program, or

- One or more students previously received foster care assistance under part B or E of Title IV of the Social Security Act.

If at any time during the term of the lease agreement, or any extension thereof, the entire household becomes composed of full time students, the entire household will no longer qualify and will be asked to move within 30 days or at the end of their lease term; whichever is longer.

Students in K-12 are not considered an exception solely by virtue of their age and grade in school.

2. ADDING MEMBERS AFTER MOVE-IN

No additional household members may apply and be screened to be added to a household within the first six (6) months of the initial lease, except in the event of pregnancy, adoption and live-in aides qualified via the reasonable accommodation process.

3. RENT TARGETING REQUIREMENTS

If this property has designated deeper rent set-asides in order to provide lower rents to lower income tenants, reasonable attempts will be made to ensure that these units are being utilized in the best manner possible.

If during the income recertification process it is determined that a lower set-aside unit household's income has increased to the point where it meets a higher set-aside within the property, the lower set-aside the household currently has will be floated to another unit.

First priority to receive the lower rent set-aside will be given to existing households who meet the lower set-aside income restriction and would benefit from the lower rent. If multiple existing households would qualify for the lower set-aside, the household with the greatest rent-burden (paying the highest percentage of income for current rent) will be selected for the designation. If multiple households have the same rent-burden, then the household who has been rent-burdened for the longest time will receive the designation.

Second priority for designation of the lower rent set-aside will be given to the next person on the wait list who meets the lower set-aside limits.

USDA Rural Development

Rural Housing and Community Programs

Things You Should Know About USDA Rural Rental Housing

Don't risk losing your chances for federally assisted housing by providing false, incomplete, or inaccurate information on your application or recertification

Penalties for Committing Fraud

You must provide information about your household status and income when you apply for assisted housing in apartments financed by the U.S. Department of Agriculture (USDA). USDA places a high priority on preventing fraud. If you deliberately omit information or give false information to the management company on your application or recertification forms, you may be:

- Evicted from your apartment;
- Required to repay all the extra rental assistance you received based on faulty information;
- Fined;
- Put in prison and/or barred from receiving future assistance.

Your State and local governments also may have laws that allow them to impose other penalties for fraud in addition to the ones listed here.

How To Complete Your Application

When you meet with the landlord to complete your application, you must provide information about:

- **All Household Income.** List all sources of money that you receive. If any other adults will be living with you in the apartment, you must also list all of their income. Sources of money include:

  –Wages, unemployment and disability compensation, welfare payments, alimony, Social Security benefits, pensions, etc.;
  –Any money you receive on behalf of your children, such as child support, children's Social Security, etc.;
  –Income from assets such as interest from a savings account, credit union, certificate of deposit, stock dividends, etc.;
  –Any income you expect to receive, such as a pay raise or bonus.

- **All Household Assets.** List all assets that you have. If any other adults will be living with you, you must also list all of their assets. Assets include:

  –Bank accounts, savings bonds, certificates of deposit, stocks, real estate, etc.;
  –Any business or asset you sold in the last 2 years for less than its full value, such as selling your home to your children.

- **All Household Members.** List the names of all the people, including adults and children, who will actually live with you in the apartment, whether or not they are related to you.

Ask for Help if You Need It

If you are having problems understanding any part of the application, let the landlord know and ask for help with any questions you may have. The landlord is trained to help you with the application process.

Before You Sign the Application

- Make sure that you read the entire application and understand everything it says;
- Check it carefully to ensure that all the questions have been answered completely and accurately;
- Don't sign it unless you are sure that there aren't any errors or missing information.

By signing the application and certification forms, you are stating that they are complete to the best of your knowledge and belief. Signing a form when you know it contains misinformation is considered fraud.

- The management company will verify your information. USDA may conduct computer matches with other Federal, State or private agencies to verify that the income you reported is correct;
- Ask for a copy of your signed application and keep a copy of it for your records.

Tenant Recertification

Residents in USDA-financed assisted housing must provide updated information to the management company at least once a year. Ask your landlord when you must recertify your income.

You must **immediately** report:

- Any changes in income of $100 or more per month;
- Any changes in the number of household members.

For your annual recertification, you must report:

- All income changes, such as increases in pay or benefits, job change or job loss, loss of benefits, etc., for any adult household member;

- Any household member who has moved in or out;
- All assets that you or your adult housemates own, or any assets that were sold in the last 2 years for less than their full value.

Avoid Fraud, Report Abuse

Prevent fraudulent schemes through these steps:

- Don't pay any money to file your application;
- Don't pay any money to move up on the waiting list;
- Don't pay for anything not covered by your lease;
- Get receipts for any money you do pay;
- Get a written explanation for any money you are required to pay besides rent, such as maintenance charges.

Report Abuse: If you know anyone who has falsified an application, or who tries to persuade you to make false statements, report him or her to the manager. If you cannot report to your manager, call your local or state USDA office at 1 (800) 670-6553, or write: USDA, STOP 0782, 1400 Independence Ave., SW, Washington, DC 20250.

If You Disagree With a Decision

Tenants may file a grievance in writing with the complex owner in response to the owner's actions, or failure to act, that result in a denial, significant reduction, or termination of benefits. Grievances may also be filed when a tenant disputes the owner's notice of proposed adverse action.

Notice of Adverse Action

The complex owner must notify tenants in writing about any proposed actions that may have adverse consequences, such as denial of occupancy and changes in the occupancy rules or lease. The written notice must give specific reasons for the proposed action, and must also advise tenants of the "right to respond to the notice within 10 calendar days after the date of the notice" and of "the right to a hearing." Housing complexes in areas with a concentration of non-English-speaking people must send notices in English and in the majority non-English language.

Grievance Process Overview

USDA believes that the best way to resolve grievances is through an informal meeting between tenants and the landlord or owner. Once the owner learns about a tenant grievance, the process should begin with an informal meeting between the two parties. Owners must offer to meet with tenants to discuss the grievance within 10 calendar days of receipt of the complaint. USDA encourages owners and tenants to try to reach a mutually satisfactory resolution to the problem at the meeting.

If the grievance is not resolved, the tenant must request a hearing within 10 days of receipt of the meeting findings. The parties will then select a hearing panel or hearing officer to govern the hearing. All parties are notified of the decision 10 days after the hearing.

When a Grievance Is Legitimate

The landlord must determine if a grievance is within the established rules for the program. For example, "I want to file a complaint because the manager doesn't speak to me" is not a legitimate complaint. However, "I want to file a complaint because the manager isn't maintaining the property according to USDA guidelines" is a legitimate complaint. Below are examples of cases in which tenants may and may not file a complaint.

A complaint may not be filed with the owner/management if:	A complaint may be filed with the owner/management if:
USDA has authorized a proposed rent change.	There is a modification of the lease, or changes in the rules or rent that are not authorized by USDA.
A tenant believes that he/she has been discriminated against because of race, color, religion, national origin, sex, age, familial status, or disability. Discrimination complaints should be filed with USDA and/or the Department of U.S. Housing and Urban Development (HUD), not with the owner/management.	The owner or management fails to maintain the property in a decent, safe, and sanitary manner.
The complex has formed a tenant's association and all parties have agreed to use the association to settle grievances.	The owner violates a lease provision or occupancy rule.
USDA has required a change in the rules and proper notices have been given.	A tenant is denied admission to the complex.
The tenant is in violation of the lease and the result is termination of tenancy.	
There are disputes between tenants that do not involve the owner/management.	
Tenants are displaced or other adverse effects occur as a result of loan prepayment.	

PA 1998
December 2008

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.