City Center Apartments
Tenant Selection Plan

Thank you for your interest in applying to live at The City Center Apartments.

Occupancy Policy

Guardian Management, LLC has established occupancy standards to permit tenants to select the apartment size they deem appropriate for their needs, while preventing overcrowding and underutilization of the apartments. Occupancy is based on the number of bedrooms in an apartment. There will be a minimum of one person per bedroom with a maximum of two persons allowed per bedroom, plus one additional occupant for the household. Applicants wishing to appeal this policy may do so in writing to:

Fair Housing Officer
PO Box 5668
Portland, OR 97228

FHO@gres.com

Privacy Policy

We are dedicated to protecting the privacy of your personal information used to determine your eligibility. We have adopted a Privacy Policy to ensure your personal information is kept secure.

We are committed to upholding the letter and spirit of the U.S. policy for achieving equal housing opportunity throughout the nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status, or national origin. TDD 1- 800-735-2900.

General Requirements

Applicants must be at least 18 years of age, or under the age of 18 and married or emancipated.

To initiate the application process, two forms of identification will be required. Photo identification plus another form of identification. Acceptable forms of photo identification include a valid state-issued driver's license, identification card, or passport. Acceptable forms of identification (other than photo ID) include an Individual Taxpayer Identification Number, a valid Social Security number, a Visa, or legal alien documentation. Copies of identification may be required. Information from such identification will be required to appear on the application and will be used to complete the screening process.

Verifiable income that demonstrates the household's monthly income is equal to at least two [2] times the monthly rent amount is required. This includes – but is not limited to – wages and rental assistance (non-governmental only).

Applicants are charged a screening fee equal to the amount the project is charged.

Project Specific Requirements

City Center Apartments is funded by and operated by the requirements as per these Affordable Housing Programs/Funders:

☒Low Income Housing Tax Credit

☐HOME

☐BOND

☐Local Innovation Fast Track (LIFT)

☐Other OHCS Funding Programs:

- ☐Community Development Block Grant
- ☐Conduit
- ☐Farmworker-Agriculture Worker Housing Tax Credit Program
- ☐General Housing Account Program
- ☐Housing Preservation Fund
- ☐Multifamily Energy Program-Weatherization
- ☐Oregon Affordable Housing Tax Credit
- ☐Operating Agreement
- ☐Trust Fund-HDGP

☐Other: _____

Income/Asset Requirements

Gross annual income shall not exceed the applicable program income limits. All forms of income must be disclosed. Information on the limits is available from the Community Manager. Detailed information on the income limits can be found on the applicable funder(s) website(s).

https://www.huduser.gov/portal/datasets/mtsp.html

All forms of income and assets must be directly verified by a third party. Contact information must be supplied by the applicant/resident for management to accomplish this requirement. Other documentation may be requested or required to prove eligibility. Individual verification forms will be signed. Applicant has the right to not sign verification forms if either the requesting organization and/or the organization supplying the information is left blank. All forms of income must be disclosed. Gross annual income shall not exceed the applicable program income limits.

Student Requirement

Low-Income Housing Tax Credit (LIHTC) Student Requirements

Units comprised of full-time students (none of whom is entitled to file a joint return) do not qualify as low-income units.

However, there are exceptions:

- A student receiving assistance under Title IV of the Social Security Act (TANF).
- A student who was previously under the care and placement responsibility of the State agency responsible for administering a plan under part B or part E of title IV of the Social Security Act (State Foster Care).
- A student enrolled in a job training program receiving assistance under the Job Training Partnership Act or Workforce Investment Act or under other similar Federal, State, or local laws.
- Entirely by full-time students if such students are:
    - Single parents and their children and such parents are not dependents (as defined in IRC §152, determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof) of another individual and such children are not dependents (as so defined) of another individual other than a parent of such children,
    - Married and file a joint return.

In the case of a single parent with children, the legislative history explains that none of the tenants (parent or children) can be a dependent of a third party.

Rental History & Credit Requirements

Home ownership will be verified through the county tax assessor's office. Mortgage payments must be current to reflect positive rental history. Home ownership negotiated through a land sales contract must be verified through the contract holder.

Eviction history or landlord tenant court records in the last 4 years will result in a denial.

- If an applicant is or is perceived to be or has been or has been perceived to be, a victim of domestic violence, dating violence, stalking, sexual assault, or has a prior eviction on his/her record due to being the victim of domestic violence is not an appropriate basis for denial of tenancy. Landlord may request that an individual certify that the individual is a victim of domestic violence, dating violence, sexual assault, or stalking, and that the incident or incidents in question are bona fide incidents of such actual or threatened abuse. The individual shall provide a copy of such certification within 14 days after an owner, Community Manager, public housing agency, or assisted housing provider requests such certification. An individual may satisfy the certification requirement by providing the requesting owner, Community Manager, public housing agency, or assisted housing provider with documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, a member of the clergy, a medical professional, or any other professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking or the effects of the abuse.
- All information provided to an owner, Community Manager, public housing agency, or assisted housing provider, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, shall be retained in the strictest confidence by such owner, Community Manager, public housing agency, or assisted housing provider, and shall neither be entered into any shared database, nor provided to any related entity, except to the extent that

disclosure is requested or consented to by the individual in writing or otherwise required by applicable law.

A credit report will be obtained. When evaluating your credit report the following will be considered:

- Bill payment history
- Number and type of accounts that you have
- Late payments
- Collection actions
- Outstanding debt
- Age of your accounts

The rental scoring system will compare your application to Screeners database, and by evaluating those statistics and real data in accordance with pre-established criteria set by Management, Screeners will recommend one of the following:

- **Accepted**
- **Denied** - the application will not be accepted. This applicant will be provided with the contact information for the consumer reporting agencies that provide the consumer information if the denial was based on such information.

Criminal Conviction Criteria

Upon receipt of the Rental Application, Owner/Agent will conduct a search of public records to determine whether applicant or any proposed resident or occupant has a "Conviction" (which means: a conviction; a guilty plea; or no contest plea) or pending charges that have not yet been adjudicated 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 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. Owner/Agent will not consider a previous arrest that did not result in a conviction, pending charges, or expunged records or any other type of conviction or adjudication not permissible to consider under local, state, or federal law.

If applicant, or any proposed occupant, has a conviction or pending charges that have not yet been adjudicated in their past which would disqualify them under these criteria, and desires to submit additional information to Owner/Agent along with the application so Owner/Agent 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, applicants may request the review process after denial as set forth below, however, see item (c) under "Criminal Conviction Review Process" below regarding holding the unit.

A lifetime screening is conducted, and any single conviction or any pending criminal charges that have not yet been adjudicated for any of the following:

- Felonies involving murder, manslaughter, arson, rape, kidnapping, child sex crimes, or manufacturing or distribution of a controlled substance.

- Felonies not listed above involving: 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 the residents, the landlord or the landlord's agent, where the date of disposition has occurred in the last 10 years.
- 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 there are two misdemeanors in which dates of disposition have occurred in the last 5 years.
- 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 the landlord's agent, where two misdemeanors in which disposition dates have occurred in the last 5 years.
- Conviction of any crime that requires lifetime registration as a sex offender will result in denial.

Criminal Conviction Review Process

Owner/Agent will engage in an individualized assessment of the applicants, or other proposed occupant's convictions if:

1. Applicant has submitted supporting documentation before the public records search; or
2. Applicant is denied based on failure to satisfy these criminal criteria and has submitted a written request along with supporting documentation. Supporting documentation MUST include:
    a. Statement from the applicant.
    b. Statement from one of the following:
        i. Letter from parole or probation officer; or
        ii. Letter from caseworker, therapist, counselor, or support providing like services; or
        iii. Certifications of various treatments/rehab programs

Owner/Agent will:

- 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. Owner/Agent may request additional information and may consider whether there have been multiple Convictions as part of this process.

- Notify applicant of the results of Owner/Agent's review within a reasonable time after receipt of all required information.
- Hold the unit for which the application was 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.

Violence Against Women Act (VAWA) Protections

- *An applicant's or program participant's status as a victim of domestic violence, dating violence, sexual assault or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.*
- An incident or incidents of actual or threatened domestic violence, dating violence, sexual assault or stalking will not be construed as serious or repeated violations of the lease or other "good cause" for terminating the assistance, tenancy, or occupancy rights of a victim of abuse.
- Criminal activity directly related to domestic violence, dating violence, sexual assault, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights of the victim of the criminal acts.
- Assistance may be terminated, or a lease "bifurcated" in order to remove an offending household member from the home. Whether or not the individual is a signatory to the lease and lawful tenant, if he/she engages in a criminal act of physical violence against family members or others, he/she stands to be evicted, removed, or have his/her occupancy rights terminated. This action is taken while allowing the victim, who is a tenant or a lawful occupant, to remain.
- The provisions protecting victims of domestic violence, dating violence, sexual assault or stalking engaged in by a member of the household, may not be construed to limit the O/A, when notified, from honoring various court orders issued to either protect the victim or address the distribution of property in case a family breaks up.
- The authority to evict or terminate assistance is not limited with respect to a victim who commits unrelated criminal activity. Furthermore, if an O/A can show an actual and imminent threat to other tenants or those employed at or providing service to City Center Apartments if an unlawful tenant's residency is not terminated, then evicting a victim is an option, the VAWA notwithstanding. Ultimately, O/As may not subject victims to more demanding standards than other tenants.
- *The VAWA protections shall not supersede any provision of any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence or stalking. The laws offering greater protection are applied in instances of domestic violence, dating violence, or stalking*.

Disabled Accessibility

- Guardian Management LLC complies with section 504 of the Rehabilitation Act, the Fair Housing Act, and Title VI of the Civil Rights Act of 1964 and will not discriminate in any program or activity receiving federal financial assistance from HUD.

- Guardian Management LLC is committed to making the apartment community readily accessible to and usable by individuals with handicaps. Guardian Management LLC will consider any request by or on behalf of a disabled resident or applicant for: a) a reasonable accommodation relating to a change in its rules and/or policies; or b) a reasonable modification relating to alterations of the common areas or an individual unit. Any such request should be made in writing to the Portfolio Manager/Section 504 Coordinator located at Guardian Management LLC, PO Box 5668, Portland, OR 97228-5668. If it is not possible to make the request in writing, Guardian Management LLC will assist the person making the request by providing the necessary information.
- In most instances, Guardian Management LLC will allow a disabled person to have an assistance animal which is related to and necessary for the disabled person to enjoy the benefits of the housing, and lawful and reasonable to have in a multifamily housing setting A particular assistance animal may be rejected if:
    - the animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated by a reasonable accommodation.
    - the animal would cause substantial physical damage to the property of others;
    - the presence of the animal would pose an undue financial and administrative burden to the apartment community owner or Guardian Management LLC; or
    - the presence of the assistance animal would fundamentally alter the nature of the services provided by the apartment community owner or Guardian Management LLC. No fees or additional security deposit will be imposed as a condition of allowing an assistance animal.
    - If a reasonable accommodation or reasonable modification request is granted, the cost to perform the modification will be paid by the resident. If the project receives Federal assistance through HOME, the approved modification may be paid for out of project funds unless it creates an undue administrative or financial burden.

Section 504 of the Rehabilitation Act of 1973, The Fair Housing Act Amendments of 1988, **Title VI of the Civil Rights act of 1964**, and HUD Notice 16-137

- Guardian Management, LLC complies with Section 504 of the Rehabilitation Act of 1973 which prohibits discrimination based on disability in any program or activity receiving federal financial assistance from HUD.
- Guardian Management, LLC complies with The Fair Housing Act which prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability, and familial status. It applies to housing, regardless of the presence of federal financial assistance.
- Guardian Management, LLC complies with Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color or national origin in any program or activity receiving federal financial assistance from HUD.

- Guardian Management, LLC complies with HUD Notice 16-137, The Final Rule – Providing Equal Access to Housing in HUD Programs regardless of Sexual Orientation or Gender Identity to ensure that housing is open to all eligible individuals and families regardless of actual or perceived sexual orientation, gender identity or marital status.
- Guardian Management, LLC complies with all other federal, state, or local law related to Fair Housing.

Preferences & Priorities

It is the policy of City Center Apartments that a preference does not guarantee admission. Every applicant must still meet the property's Tenant Selection Standards for acceptance as a resident. Current residents on the waitlist shall have priority consideration over outside applicants if under-/or or overhoused, require a transfer due to domestic violence, or have made a request for a reasonable accommodation.

Households that have been displaced by government action, or a declared presidential emergency, with appropriate documentation, will take priority over other outside applicants.

Preferences applicable to City Center Apartments:

City Center Apartments has zero units with establish preferences.

Preference for Accessible or Adaptable Units

For units accessible to or adaptable for persons with mobility, visual or hearing impairments, households containing at least one person with such impairment will have priority (as applicable for a unit's features).

NOTE: Current residents requiring accessible/adaptable units shall be given priority over applicants requiring the same type of unit. Where no such applicants or current residents are waiting, management reserves the right to hold these units available while outreach efforts are in process to obtain applicants who need them. Where non-disabled persons are moved into units designed to meet special needs, they shall do so only after signing an addendum to move to a unit with no such design features should an applicant or current household require an accessible unit of the same type.

As a result of the above-listed priorities and preferences, applicants may be skipped over. Applicants who are skipped over will remain on the waitlist and will retain their placement in line once another apartment becomes available.

Pet Policy

☒ **If checked, the property has a no-pet policy.**

Application Process

Our staff is prepared to assist any applicant who requires assistance completing any of the application forms. This assistance might include answering questions about how to complete the application, helping applicants who might have literacy, vision, hearing, mobility, or language difficulties, and, in general, making it possible for interested parties to apply for housing.

If the assistance requested is “unreasonable", the interviewer must inform their supervisor. An assessment must be made to identify and provide reasonable accommodation.

Management may make and document exceptions to the procedures described herein to consider circumstances beyond the applicant's control, for example, medical situations.

Waitlist Application Process

Applications are accepted at the apartment community’s rental office by submitting electronically via the property website.

However, if the waitlist is closed, applications are not accepted. If the waitlist is open, then an application is accepted.

Specific determinations regarding the acceptance or rejection of applicants may not be made without a completed Waitlist Application; however, we will answer any questions concerning program and eligibility requirements.

Procedure Governing Receipt of Applications

The Waitlist Application constitutes the basic record of each household applying for admission. Each applicant, therefore, will be required to:

- Supply information as called for on the form, and
- Sign the application and certification attesting to the accuracy of the information provided.

Each application shall reflect the date and time received. The date and time listed on the application must be shown on the waitlist. The application and all other materials relating to the applicant's eligibility are to be maintained in a separate file for each active applicant. Whenever information is received from an applicant, it must show the date and time received by the property.

Accepting Applications

Waitlist Applications are to be accepted from all "apparently eligible" applicants seeking admission to the property. "Apparently eligible" means, based on stated information and applicant certification (prior to verification) the applicant may qualify to be placed on the waitlist.

- The Waitlist Application must be completed and signed by the head of household and all household members over 18 before an applicant can be placed on a waitlist.
- An applicant must always be placed on a waitlist and selected from a waitlist to be housed.
- A Rental Application must be completed and signed by the head of household and all household members over 18 before the applicants can be housed.

Placing Applications on the Waitlist

Waitlist Applications will be accepted and reviewed to determine whether the household can be placed on the waitlist. Applicants will be placed on the waitlist based on the applicant’s certification of information on the Waitlist Application.

There are three primary considerations when assessing the information contained on the Waitlist Application:

- Does the household fall within the income limits and eligibility criteria for the property and program?
- Is there an apartment of the type and size that the household needs and requests?
- Is the Waitlist open?

If the answer to all three of these questions is "yes", the household application is placed on the waitlist in "Prospect" status.

If all the answers are “yes” except for the apartment type, and there is not a correct apartment type to meet the applicant's housing needs, then a determination must be made by the Community Manager whether the property/unit must be made accessible and/or if reasonable accommodation is warranted.

If the household does not fall within the income limits for the property and program, or there is not an apartment of the appropriate size, or the waitlist is closed, then:

- The application is rejected, and the reason written on the application
- The applicant is notified of the rejection with the Notice of Eligibility, and they are advised that they may reapply if their circumstances change, or when the waitlist reopens, and
- There is no further review of the application.

An applicant must be advised of the rejection in writing, and a copy of the written determination attached to the application. This may be done at the time after the completed application is received.

Notification of Unit Availability

If you are contacted and notified by phone and/or receive a notice that you are getting close to the top of the waitlist, or are notified of an available unit, you will have three (3) days to respond, complete a full application for each adult, pay and complete screening and verification for eligibility confirmation.

1. Once your application has been approved, you will have 2 business days to execute the lease and other rental documents. If you do not execute the lease and other rental documents within 2 business days, you will be considered to have rejected the offered unit and will be removed from the waitlist. The available unit will be offered to the next person on the waitlist.
2. If you choose not to accept the unit offered, you will be removed from the waitlist for that unit type. You may re-apply to be placed back on the waitlist if you are still interested.
    a. Example: Your household is on the one & two-bedroom waitlists. You are contacted and offered a one-bedroom unit and refuse. Your household will be removed from the one-bedroom waitlist, but the household will remain on the two-bedroom waitlist.
3. If you do not contact management within the required period, you will be removed from the waitlist. The available unit will be offered to the next person on the waitlist.

Administration of the Waitlist

City Center Apartments is required to maintain a waiting list of all eligible applicants. Applicants must be placed on the waiting list and selected from the waiting list even in situations where there are vacancies, and the applications are processed upon receipt. This procedure is necessary to ensure the complete and accurate processing of all documentation for all applicants.

The waiting list is maintained in chronological order based on the date and time of receipt of the pre-application.

The list contains the following information for each applicant:

- Application Date and Time received
- Applicant Name
- Household Income
- Family Size
- Address
- Phone Number(s)
- Preference/Priority
- Unit Size and Type
- Notification Date(s)
- Response Date(s)
- Comments/Status
- Special Needs

Applicants may report changes to any of the information and retain their place on the waiting list based on the original date and time.

Closed Waiting List

The waiting list is closed when the number of applications on hand is such that the Waitlist Application household would be unlikely to be offered a unit within one year. At Guardian Management, closing a waitlist is part of our operations policies and requires prior approval from the Regional Portfolio Manager.

The Regional Portfolio Manager will follow the formula for determining the number of names that should be on the waiting list: multiply the average number of vacancies for the past three years times two.

- **EXAMPLE:**
  A property had 10 vacancies in the one-bedroom apartments last year, 14 vacancies the year before, and 17 vacancies three years ago. Add these together for a total of 42. (10+15+17=42)
  Divide 42 by 3 and multiply it by 2. (42÷3×2=28)

Thus, the minimum number of names that should be maintained on the waiting list for the one-bedroom units is 28.

If based on the average turnover for one year, it appears that the waiting list will cause future applicants to wait longer than one year, applications will no longer be accepted, and the waiting list will be closed.

When the waiting list is closed, a notice is posted in or near the rental office, and an ad in the local newspaper indicating:

- The date the list closed,
- Applications are not being accepted, and
- Reason for the closure

Opening a Closed Waiting List

To open a closed waiting list, City Center Apartments must follow the approved Affirmative Fair Housing Marketing Plan (AFHMP). The AFHMP must be reviewed periodically and in advance of reopening a closed waiting list to ensure it is current.

Opening the waiting list and marketing vacant apartments in City Center Apartments must provide an equal opportunity for households to participate in and benefit from the housing programs.

Updating the Waiting List

From time to time, City Center Apartments will have to update information on the waiting list. These changes must be reported in writing.

Such a need may occur when:

- The applicant notifies City Center Apartments of a change, or
- The applicant's name is reached on the waiting list, and the changes are identified when the Waitlist Application is updated.

If the applicant's income/household composition changes and the change results in a change to the applicant's status, the original application date remains unchanged.

If the change in household circumstances is such that the applicant is no longer eligible to be on a waiting list, i.e., over the income limits:

- The application will be inactivated, and
- The applicant will be notified in writing of the inactive status.

Purging the Waiting List

The waiting list is purged based on applicant contact every six months or automatically by City Center Apartments. It is critical that applicants are made to understand that they must continue to contact City Center Apartments to remain active on the waiting list.

It is the applicant's responsibility to notify City Center Apartments at least every six months to remain active on the waiting list. The head of household must contact City Center Apartments by email fax or by USPS mail (unless some other reasonable accommodation is requested by applicants with verifiable disabilities).

Upon receiving such notification, the applicant may update their information or indicate that they remain interested in the apartment.

If an applicant does not contact City Center Apartments during any six-month period, their application will be inactivated. For this reason, it is important that applicants update their application, and the update must be clearly documented with the date, time, and applicant's name.

It is also the applicant's responsibility to notify City Center Apartments immediately of any changes to the information provided on their Waitlist Application. The change may necessitate placing the applicant on a different waiting list.

The waiting list will be periodically purged by City Center Apartments staff to determine if applicants on the active list are still interested in an apartment. When purging notices are sent out from The Bluffs, an applicant's failure to respond within the designated timeframe may result in the application being removed from the active list and placed in an inactive status.

Changes in Waiting List Status

An applicant's status may change due to changes in their income, household composition, or other circumstances. Such a need may occur when the applicant notifies The Bluffs Apartments of the change or when the applicant's name is reached on the waiting list, and the changes are identified when the Waitlist Application is updated.

If the applicant's circumstances change and the change requires a different waiting list status for the applicant, such a change may not impact the date of the original application.

Live-in Care Attendant/Aide

A qualified care attendant/aide will be subject only to a criminal background search. Credit and income verifications will not apply.

Rejection Policy

You have the right to dispute the accuracy of any information provided to the landlord by a screening service or credit reporting agency. If your application is denied due to unfavorable information received during the screening process, you will be notified in writing. You have the right to respond to the owner/agent in writing or request a meeting within 14 days to dispute the rejection.

1. Contact the screening company in the adverse action letter provided with your screening results.
2. Contact the credit reporting agency to identify who is reporting unfavorable information.
3. Correct any incorrect information through the credit reporting agent as per their policy.
4. Request the credit reporting agency submit a corrected credit check to the appropriate screening company.

5. Upon verbal request to dispute the denial and/or receipt of the corrected and satisfactory information, your application will be evaluated again for the next available apartment.

If you are a person with a disability and would like to request a waiver of the screening criteria, you may appeal the decision within 14 calendar days by sending a letter or requesting a meeting. In Portland, applicants will have 30 days to submit an appeal.

Guardian Management, LLC
Equal Housing Opportunity Manager,
P.O. Box 5668, Portland, OR 97228-5668
503-802-3600

In the letter explain the reasons you believe your application should be approved and request a review of your file. Please indicate in the letter which apartment community you have applied to. Within 5 working days of receipt, your application will be reviewed, and you will be notified of the outcome of the review. Persons with disabilities have the right to request reasonable accommodations to participate in the hearing process.

Security Deposit

Security Deposits provide us with some financial protection when a tenant moves out of the unit and fails to fulfill his/her obligations under the lease.

Security Deposits Collected from Tenant

It is a requirement that we collect the security deposit at the time of move-in. The security deposit collected will be an amount up to one month's net program allowable rent. See Also Rental History and Requirement Section.

Accepted with Conditions

Depending on the community's policy, the applicant may be given the option to pay an additional move-in deposit equal to one month's rent if screening is returned approved with conditions.

Security Deposits for Tenants Transferring to another Unit

When a tenant transfers to a new unit, we will transfer the security deposit to the new unit. Any damages as a result of the move will be billed to the resident. Residents will have 30 days to pay.

Unit Transfer Process

Current residents shall have priority over the outside applicants when any of the following conditions exist:

- The household develops a need for an accessible unit (if available).
- A unit transfer is needed for medical reasons.
- The household has been determined as eligible for an emergency transfer in accordance with Guardian Management's VAWA Emergency Transfer Plan
- An accessible unit is occupied by a household that does not require the accessible features and there is an applicant or current household requiring the accessibility.

A current household that would like to transfer to a different unit size but does not meet one of the criteria listed above will be placed on the waiting list by the date and time the request is received. These households will not have priority over outside applicants and will be selected from the waiting list based upon date and time application was received.

A current household may request a unit wherein only part of the household will move to the new unit and remaining members will continue to reside in the original unit. This is not considered a transfer but rather a new household is being created. In this case the new household will be placed on the waiting list according to the date and time received. The new household must meet all eligibility criteria in the same manner as outside applicants. These households will not have priority over outside applicants and will be selected from the waiting list based upon date and time application was received.

For any transfers dependent on the LIHTC 86098b election per property, a new qualification certification may need to be processed to determine eligibility for the transfer.

Additions to Existing Household

Household compositions may change over time. Additions to households do not need to be placed on the waiting list to be added to an existing household. The request for the additional resident will need to be reported to the office and approval will need to be obtained by management before the new household members take occupancy. Household changes may not occur within the first 6 months of residency.

If the initial qualifying household moves out within one year of the new household members being added, the entire household must vacate. Exceptions to this will be determined on a case-by-case basis, when extenuating circumstances exist.

Unit Designation Swaps – LIHTC/Market Rate Communities Only

Upon recertification, if household's income has increased above 140% of the current AMI (area median income) of the occupied unit type assignment, the Community Manager must take the necessary steps to rent the next available unit to a qualifying household that meets the lower set-aside requirements. Once a new unit is leased to a lower-income household, the over-income household's designation will be swapped to meet the appropriate set-aside, and the rent will be increased in accordance with the lease terms.

If, at recertification, a household's income decreases below the current AMI limits applicable to the property, that household can request to be placed on our in-house waiting list for a lower set-aside once one is available. Upon availability, the household's designation will be swapped to the lower designation (applicable to the property), and the rent will be adjusted accordingly. Households on our in-house waiting list requiring a lower unit designation will take precedence over in-house transfers and move-ins.

HOME PROGRAM RE-DESIGNATION PROCEDURE. INCOME/RENT RESTRICTIONS AND STUDENT ELIGIBILITY REQUIREMENT

Over-Income HOME Re-designation and Procedure

Fixed HOME Units

High HOME

Upon recertification, if household income has increased above the current High HOME 80% income limit, City Center Apartments is temporarily out of compliance until the over-income tenant vacates and the unit can be rented to the next qualified household.

The following action is taken for the over-income household:

- Tenant rent may be raised as soon as possible, in accordance with lease terms. The rent of the over income household will be adjusted to the lesser of:
    - The rent amount payable under state or local law;
    - 30% of the tenant's monthly adjusted family income; or
    - If the unit is also LIHTC, the tenant must pay the rent dictated by the Tax Credit program

Low HOME

Upon recertification, if household income has increased above the current very low (50%) income limit, but not above the low (80%) income limit, the property is temporarily out of compliance until either:

- A High HOME rent unit can be re-designated as a Low HOME rent unit, or
- The unit occupied by the over income household is vacated and can be rented to the next qualified very low-income household.

The following action is taken for the over-income household:

- If there are also High HOME units: The unit retains the Low HOME status, and rent is not increased above the Low HOME limit until a High HOME rent unit vacates (regardless of bedroom size) and can be re-designated as Low HOME. Once the re-designation occurs, the over-income household rent may be increased to the High HOME rent, in accordance with lease terms.
- If there are no High HOME units: The Fixed Low HOME unit will be temporarily out of compliance until the household moves. The rent will be recalculated; not to exceed the maximum LIHTC rent limit (including UA). Lease cannot be terminated.

Upon recertification, if household income has increased above the current low (80%) income limit, the property is temporarily out of compliance until the over-income tenant vacates and a new income-eligible household moves in.

The following action is taken for the over-income household & unit:

- Tenant rent may be raised as soon as possible, in accordance with lease terms. The rent of the over income household will be adjusted to the lesser of:
    - The rent amount payable under state or local law;
    - 30% of the tenant's monthly adjusted family income; or
    - If the unit is also LIHTC, the tenant must pay the rent dictated by the tax credit program; *the tenant rent is not adjusted.
- Management will designate the next vacated High HOME unit, regardless of bedroom size, as Low HOME. To be occupied by a qualified very low-income household. The unit occupied by the over-income household will be re-designated as a High HOME rent unit. *If the unit is also LIHTC, the unit does not need to be replaced by a comparable unit until household income exceeds 140% of AMI.

Floating HOME Units

High HOME

Upon recertification, if household income has increased above current applicable HOME 80% Income limit the following action is taken for the household & unit:

- Tenant rent may be raised as soon as possible, once re-designation occurs, in accordance with the lease terms and all applicable funding source restrictions.
- The High HOME designation will be reassigned to an existing household, in a comparable (equal or greater sized offering the same amenities) unit, with the lowest qualified income which is not receiving another type of subsidy. The household with the lowest income will be determined by evaluating all residents % of AMI as per the most recently completed certification. Once the HOME is reassigned, the unit with the over income household is re-designated as a non-HOME unit.

Low HOME

Upon recertification, if household income has increased above the current very low (50%) income limit, but not above the low (80%) income limit, the following action is taken for the household & unit:

- Tenant rent may be raised as soon as possible, once re-designation occurs, in accordance with the lease terms and other funding source restrictions.
- The Low HOME designation will be reassigned to an existing household, in a comparable (equal or greater sized offering the same amenities) unit, with the lowest qualified income which is not receiving another type of subsidy. The household with the lowest income will be determined by evaluating all residents % of AMI as per the most recently completed certification. Once the HOME is reassigned, the unit with the over income household is re-designated as a High HOME unit.

Upon recertification, if household income has increased above the current low (80%) income limit, the following action is taken for the household & unit:

- Tenant rent may be raised as soon as possible, once re-designation occurs, in accordance with the lease terms and all applicable funding source restrictions. Rent will not exceed 30% of adjusted income or the market rent for comparable, unassisted units in the neighborhood.

- The Low HOME designation will be reassigned to an existing household, in a comparable (equal or greater sized offering the same amenities) unit, with the lowest qualified income which is not receiving another type of subsidy. The household with the lowest income will be determined by evaluating all residents % of AMI as per the most recently completed certification. Once the HOME is reassigned, the unit with the over income household is re-designated as a non-HOME unit.

Income and Rent Restrictions

HOME assisted units are subject to the income and rent restrictions under 24 CFR 92.252. This property uses the Part 5 annual income as defined at 24 CFR 5.609, also known as the "Section 8" definition of income. HUD published income limits will be used to determine income eligibility for HOME assisted units.

Student Households

HOME Program specific Student Rules apply. A household that includes an individual who meets one of the conditions below does not qualify for a HOME assisted unit.

- Is enrolled in a higher education institution;
- Is under age 24;
- Is not a veteran of the US military;
- Is not married;
- Does not have a dependent child;
- Does not have a disability;
- Is not otherwise individually eligible or has parents who individually or jointly are not eligible based on income

Transfers

The HOME Program does not allow for transfers.

Transfers involving a HOME unit are treated like a new move-in. To determine eligibility, a new Application and income/asset certification must be completed, and household must qualify under the current applicable HOME Program income limits.