

DePaul Housing Management Corporation

TENANT SELECTION PLAN

For: Carondelet Commons; Cabrini Acres; Sanderson Court; Fontbonne Manor; Bishop Broderick Apartments; St. Vincent's Apartments; Marie Rose Manor; Fr. Leo O'Brien Senior Community; The Lawrence Commons; Branson Manor; St. Jude Apartments; Bishop Hubbard Senior Apartments; Delhi Senior Communities
Updated: January 31, 2010

DePaul Housing Management Corporation and the buildings it manages are pledged to the letter and the spirit of U.S. policy of achievement of equal housing opportunity throughout the nation. We encourage and support affirmative advertising and marketing programs in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status, or national origin. We also comply with section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance from the U.S. Department of Housing & Urban Development, the Fair Housing Act Amendments of 1988 and Title VI of the Civil Rights Act of 1964.

Applications are accepted by mail at DePaul Housing Management Corporation, 41 North Main Avenue, Albany, New York 12203. Requests for applications may be made by calling (518) 459-0183 OR by contacting the individual communities or by utilizing the TTY/Voice Relay Services number #7-1-1. Applications may also be obtained on-line at www.depaulhousing.com. Interviews and apartment showings are conducted at each building. **If you require assistance in reading, understanding or completion of this application, please call the above number to request a reasonable accommodation.**

ELIGIBILITY REQUIREMENTS

Failure to meet eligibility requirements in any one or more of these categories will result in the rejection of the applicant. In order to be accepted as a resident, each applicant will be required to provide third-party verification for required information in each of the categories listed below at an in-person eligibility interview.

1. Household Composition

[Definition of head of household: As listed on the application, the 1st or primary applicant. If only one person is applying, that person will be the head of household. Definition of co-head: The 2nd applicant, as listed on the application.]

A. **For St. Vincent's Apartments, Bishop Broderick Apartments, Bishop Hubbard Senior Apartments, Cabrini Acres Senior Apartments, St. Jude Apartments, and Branson Manor Senior Apartments:**

The applicant must be a single person who is 62 years of age or older, OR a non-elderly mobility-impaired person between the ages of 18-61 in need of the accessibility features of an apartment designed for the mobility impaired,

OR

a household of two persons whose head of household is 62 years of age or older OR is a non-elderly mobility-impaired person between the ages of 18-61.

B. For Sanderson Court Senior Apartments, Marie Rose Manor, Delhi Senior Communities, Fontbonne Manor Senior Apartments, and Fr. Leo O’Brien Senior Community:

The applicant must be a single person who is 62 years of age or older, OR a household of two persons whose head of household is 62 years of age or older.

C. For Carondelet Commons Senior Apartments:

The applicant must be a single person who is 55 years of age or older, OR a non-elderly mobility-impaired person between the ages of 18-54, OR a household of two persons, whose head of household is 55 years of age or older, OR a non-elderly mobility-impaired person, between the ages of 18-54.

D. For The Lawrence Commons:

The applicant must be a single person who is 18 years of age or older, who is mobility impaired, OR a household of two persons, whose head or co-head of household is 18 years of age or older, AND mobility impaired.

2. Citizenship

For St. Vincent’s Apartments, Branson Manor Senior Apartments, Cabrini Acres Senior Apartments, Bishop Broderick Apartments, Bishop Hubbard Senior Apartments, St. Jude Apartments, and The Lawrence Commons the applicant must meet the requirements regarding citizenship according to Section 214 of the Housing and Community Development Act of 1980 (see related application attachment). Citizenship information will be verified, as appropriate and required, through the Department of Homeland Security and the SAVE system.

3. Income

A. For Bishop Broderick Apartments, Bishop Hubbard Senior Apartments, Cabrini Acres Senior Apartments, St. Jude Apartments, Branson Manor Senior Apartments, Sanderson Court Senior Apartments, Marie Rose Manor, Fontbonne Manor Senior Apartments, The Lawrence Commons, Fr. Leo O’Brien Senior Community:

maximum annual gross income must not exceed:

For one person: \$25,950.00* **
For two persons: \$29,650.00* **

B. For St. Vincent's Apartments and Carondelet Commons:

maximum annual gross income must not exceed:

For one person: \$41,500.00* **
For two persons: \$47,450.00* **

C. For Delhi Senior Community I & II:

maximum annual gross income must not exceed:

For one person: \$19,200.00*
For two persons: \$21,950.00*

(For St. Vincent's Apartments, Bishop Broderick Apartments, Bishop Hubbard Senior Apartments, Cabrini Acres Senior Apartments, St. Jude Apartments, Branson Manor Senior Apartments, & The Lawrence Commons: at least 40% of each buildings' apartments that become available each fiscal year must be made available first to those families whose income does not exceed \$15,600* for one person per year or \$17,800* for two persons per year. See below for full procedure.)**

(* These income limits were updated in March 2009 and are subject to periodic change by the U.S. Department of Housing and Urban Development [HUD]).

PROCEDURE FOR INCOME TARGETING COMPLIANCE: Income Targeting requirements stipulate that 40% of the units that become available each fiscal year must be rented to Extremely Low-Income (ELI) households earning 30% or less of the median income. To meet this requirement, the site must alternate between the first extremely low-income applicant on the waiting list and the applicant at the top of the waiting list that is not extremely low income. This may mean some applicants with higher incomes might be skipped over for the available apartment. Once the ELI requirement is met, management is permitted to go to the other applicants on the Waiting List.

4. Student Eligibility

There are restrictions at most communities for providing section 8 assistance to any individual who 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. Restrictions will apply if the student:

- Is under the age of 24
- Is not married
- Is not a veteran of the US Military
- Does not have a dependent child
- Is not a person with disabilities, as such term is defined in 3(b)(3)(E) of the US Housing Act of 1937 (42U.S.C. 1437 a(b)(3)(E) and was not receiving section 8 assistance as of November 30, 2006)

- Is not living with his or her parents who are receiving Section 8 assistance; and
- 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.

5. **Assets**

There is no dollar limitation on the amount of assets an applicant may have. However, federal and state funding sources require us to consider the value of an applicant’s assets or income from assets when determining an applicant’s eligibility.

If the applicant has disposed of any assets for less than fair market value within two years prior to the date of the application, the fair market value of that asset will be considered an (imputed) asset for two years from the date of disposal.

6. **Social Security Number Requirement**

Applicants must disclose social security numbers (SSNs) for all applying household members at the time of application. Documentation verifying the social security numbers, such as the original social security card issued by the Social Security Administration, must be provided at the time of the In-Person (Eligibility) Interview. If no social security card is available, documents such as an original document issued by a federal or state government agency which contains the name of the individual and the complete social security number along with other identifying information of the individual must be provided. Households unable to supply social security number verification will be rejected.

7. **Violence Against Women’s Act**

For St. Vincent’s Apartments, Bishop Broderick Apartments, Bishop Hubbard Senior Apartments, Cabrini Acres Senior Apartments, St. Jude Apartments, Branson Manor Senior Apartments and The Lawrence Commons Apartments:

The Violence Against Women’s Act was enacted to help to ease the housing concerns of victims of domestic violence. In connection with housing, the Act provides legal protections to victims of domestic violence, dating violence or stalking. An applicant who certifies that they were the victim of domestic violence can be admitted for housing even with poor landlord references **if** they can show the negative references were due to domestic violence. The applicant must provide certification beyond self certification of the domestic violence. This may include verification from police, domestic violence victims’ advocates and social service agencies. The Act also prohibits owner and agents from evicting or terminating assistance from individuals being assisted under a project-based section 8 program in the above stated housing communities, if the asserted grounds for such action is an instance of domestic violence and such violence is verified.

If you believe this applies to you, please contact us for further information and assistance.

APPLICANT SCREENING

1. **General**

Applicant screening is targeted toward determining the likelihood that an applicant will be able to meet the essential requirements of tenancy as expressed in the lease and the Handbook of Policies.

These essential requirements are summarized in the section (see page 6) entitled “Ability to Meet the Requirements of Tenancy.” Note: “Applicant” as used in this section, also includes any live-in aide.

2. **Background Checks**

All applicants will be subject to a criminal background check including, but not limited to, a mandatory screening review of the lifetime registration list under a state’s sex offender registration program. Live-in aides are subject to the same screening requirements. These screenings will be done as part of the application verification process.

- A. As required by the United States Department of Housing & Urban Development’s Notice H2002-22 HUD, any applicant who is subject to a requirement of lifetime registration on any state’s sex offender registration program will NOT be admitted.
- B. Any conviction or adjudication other than an acquittal of the following crimes is cause for rejection of an application to housing in any community managed by DePaul Housing Management:
 - Murder
 - Manslaughter
 - Arson
 - Armed Robbery
 - Sex offenses, including forcible rape, child molestation, and aggravated sexual battery
- C. Any conviction or adjudication other than acquittal of the following crimes within five (5) years from the date of application is cause for rejection of an application to housing in any community managed by DePaul Housing Management:
 - A crime involving the illegal possession, sale or manufacture of a controlled substance
 - A felony that involved harm to another person or to property
- D. Any conviction or adjudication other than acquittal of the following crimes within three (3) years from the date of application is cause for rejection of an application to housing in any community managed by DePaul Housing Management:
 - Any other felony, not included above

3. **Rental History**

- A. During the screening process, we will ask for verification of successful, appropriate rental history for the five (5) years prior to the date of the interview for all applicants (1st and 2nd). Note: Any applicant or household member who was evicted from state- and/or federally-assisted housing for drug related criminal activity within five years prior to the date of the application will NOT be accepted as a resident.
- B. We will mail reference forms to each landlord. The form(s) must be completed and mailed

or hand-delivered to the office by the landlord. This requirement will be waived ONLY if the applicant can document that he or she has been a homeowner residing in his/her home for five (5) years or more prior to the date of the interview.

C. Negative responses to landlord reference questions are cause for rejection.

4. **Screening For Current Receipt of HUD Housing Assistance:**

HUD provides the owner/agent with information about an applicant's current status as a HUD housing assistant recipient. The owner/agent will utilize the Enterprise Income Verification System to determine if you or any member of your household is currently receiving HUD assistance. Nothing prohibits a HUD housing assistance recipient from applying to another property. However the applicant must move out of the current property and /or forfeit any rental assistance before HUD rental assistance for the new property will begin. If the applicant or any member of the applicant household fails to fully and accurately disclose rental history, including their current residence, the application may be denied based on the applicant's misrepresentation of information.

5. **In-Person (Eligibility) Interview**

The applicant must successfully complete an in-person interview with the Community Manager. He or she must respond appropriately either personally or through an interpreter (in the case of hearing-impaired or non-English-speaking applicants) to a standard questionnaire.

6. **Ability to Meet the Requirements of Tenancy**

The applicant must demonstrate the capacity and willingness:

- To understand and comply with the lease.
- To understand and comply with the building's rules, regulations, and policies.
- To appropriately maintain the rental unit.
- To follow instructions and respond appropriately in emergency situations.
- ♦ To pay rent and other fair charges in a timely manner. And, at the time of move-in, to pay a security deposit equal to the applicant's "total tenant payment" (rent based on 30% of income plus the monthly Utility Allowance).
- ♦ To care for and avoid damaging the unit and common areas.
- ♦ To use facilities and equipment in a reasonable manner.
- ♦ To create no health, safety or sanitation hazards that threatens self or rights of others including any drug related activity.
- ♦ To support in actions and behaviors the quiet enjoyment of premises by self and other residents.

- ◆ To avoid criminal activity that threatens the health, safety or rights of others including any drug-related criminal activity.
- ◆ To comply with necessary and reasonable rules and program requirements of the U.S. Department of Housing and Urban Development (HUD) and the housing provider.
- ◆ To comply with health and safety codes.
- ◆ To report maintenance needs.
- ◆ To comply with DePaul Housing Management managed properties' "Handbook of Policies."

WAITING LISTS

Completed, eligible applications are distributed from the DePaul Housing Management main office to the building(s) that are checked-off on the application. Upon receipt of the application, each building places the applicant's name on their Waiting List and sends the applicant a letter notifying them of this action. Note: It is the policy of DePaul Housing Management that Waiting Lists for any of its buildings remain open always; Waiting Lists are never closed to applicants.

Applicants are placed on the individual building's Waiting List in the order they are received. When a vacancy occurs within a building, the Community Manager refers to the Waiting List and contacts the next person(s) on their List (at the "top of the List"), requesting that they come in to the office for an eligibility appointment **.

Applicants may choose not to be considered for an apartment at the time they are contacted and may request that they remain on the Waiting List. In that case, their name will then go to the "bottom" of the Waiting List, meaning that they will not be contacted again for one year or until the List has been exhausted, whichever comes first. If there are no successful candidates for an apartment found within the first contact group, the Community Manager will re-visit the Waiting List and contact the next person(s) on the list, and so on.

Applicants who repeatedly (three times) turn down the opportunity for an eligibility appointment (offer of an appointment) will be removed from the Waiting List. Applicants who successfully complete the eligibility process and are consequently offered an apartment but refuse the apartment, are removed from the Waiting List. Applicants will also be removed from the Waiting List if: the applicant no longer meets the eligibility requirements for the property or, the applicant fails to respond to our written notices or requests, or, mail sent to the applicant's address is returned as undeliverable, or if the family size changes the size of the unit needed and such size unit does not exist in the property. In all cases, those applicants who have been removed from the Waiting List must reapply in order to be considered for an apartment once again. Upon reapplication, the applicant will be placed at the bottom of the Waiting List.

A yearly Waiting List update survey will be mailed to all applicants on each Waiting List. This allows the applicant to reaffirm their interest in remaining on a Waiting List. Non-responders will be removed from the Waiting List. Note: Should an applicant have a change in address, it is their responsibility to notify the building so that the Waiting List information may be kept accurate and up-to-date.

Upon accepting the offer of an apartment and starting the interview and income certification process, the applicant must provide a deposit in the amount of \$50 to hold the apartment while the interview and certification process proceeds. If the application is deemed to be income and otherwise eligible, the \$50 deposit will be applied toward the required lease security deposit. If the application is found to be income or otherwise ineligible, the \$50 will be returned to the applicant. If the applicant withdraws the application and refuses to accept the apartment at anytime after the \$50 has been deposited and the interview and certification process has begun, the \$50 will be forfeited.

(** **Reminder:** For St. Vincent’s Apartments, Bishop Broderick Apartments, Bishop Hubbard Senior Apartments, Cabrini Acres Senior Apartments, St. Jude Apartments, Branson Manor Senior Apartments, & The Lawrence Commons: at least 40% of each buildings’ apartments that become available each fiscal year must be made available first to those families whose income does not exceed \$15,600* for one person per year or \$17,800* for two persons per year. See Income Targeting Compliance Procedure on page 3.)

ELIGIBILITY REQUIREMENTS FOR ACCESSIBLE APARTMENTS

WHO IS ELIGIBLE:

(Please see “Household Composition” requirements listed on page one for particular building regulations.)

Elderly or non-elderly single persons or a household where the head of the household or co-head has a mobility impairment or physical disability *. A person with a degenerative condition that will result in mobility impairment, if otherwise eligible, is also eligible for an accessible unit. Written verification of the mobility impairment from the attending physician will be required.

* The applicant’s mobility impairment or physical disability must necessitate the need for all of the special design features of our accessible apartments as listed below:

- Wider doorways throughout the apartment
- Lowered kitchen counters and cabinets
- Roll-in kitchen sink (sink with cut-out for wheelchair access)
- Additional grab bars in the bathtub/shower
- Specially designed hand-held shower

Tenant Selection for Accessible Apartments is done in this order:

- A. Current tenant (within the same building) needing an accessible unit.
- B. The next eligible qualified applicant on the Waiting List who is mobility-impaired and needs an accessible unit. (Note: For St. Vincent’s Apartments, Bishop Broderick Apartments, Bishop Hubbard Senior Apartments, Cabrini Acres Senior Apartments, St. Jude Apartments, Branson Manor Senior Apartments, & The Lawrence Commons: at least 40% of each buildings’ apartments that become available each fiscal year must be made available first to those families whose income does not exceed \$15,600 for one person per year or \$17,800 for two persons per year. Income limits are subject to change by the U.S. Dept. of Housing & Urban Development.)

- C. Waiting Lists—The next eligible qualified applicant on the Waiting List who is not mobility impaired does not need an accessible unit. However, the tenant’s lease will include a provision that the tenant will move to a standard unit when the next standard unit becomes available and a household from A or B above is available to move into the accessible unit.

UNIT OCCUPANCY

No more than two (2) persons may reside in any apartment.

TERMS OF RESIDENCY

Each eligible qualified applicant who accepts an apartment will be required to sign a rental lease for a period of one year. Thirty days written notice is required to terminate the lease agreement. **This apartment must be the applicant’s only residence.**

Rent

- A. Rents are based on each individual’s income in accordance with current HUD regulations or other appropriate regulations.
- B. At Carondelet Commons, rent is based on income categories. These rents are subject to periodic review by the New York State Division of Housing and Community Renewal (DHCR).

Security Deposit

At the time of move-in, the new tenant is required to pay a security deposit. At all buildings **except** Carondelet Commons, the security deposit is equal to the tenants’ “total tenant payment” or \$50, whichever is **larger**. Total tenant payment equals the amount of the unit’s HUD-approved utility allowance plus the monthly rent amount. At Carondelet Commons the security deposit is equal to the tenants’ monthly rent **plus** \$50. A separate check or money order for the security deposit is required. The security deposit will be placed in a bank account under the tenant’s name and the deposit will accrue interest until such time that the apartment is vacated.

APARTMENT TRANSFERS

1. Within the Building

Residents may transfer from one apartment to another only as a reasonable accommodation for a disability. All reasonable accommodation requests will be subject to third party verification prior to placement on the transfer list. If an apartment is not available to accommodate the resident’s needs in this regard, the resident will be placed on a transfer list. When an appropriate unit becomes available, it will be filled first from the transfer list and then from the waiting list.

2. **From One DePaul Building to Another**

There is no shortcut way to “transfer” from one building to another; the resident must apply in the same manner as any other applicant.

REJECTION CRITERIA

Under the guidance of the U.S. Department of Housing & Urban Development (H2002-22 HUD) regulations, an applicant will **not** be accepted for tenancy for any one of the following reasons:

1. Failure to meet any one or more of the Tenant Selection Criteria listed in this document.
2. Violent criminal behaviors or other criminal behaviors that would threaten the health, safety, or right to peaceful enjoyment of the premises by other residents, or of the site’s employees, contractors or agents.
3. Any applicant/household member whom DePaul Housing Management has reasonable cause to believe abuses or has a pattern of alcohol or substance abuse which may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
4. Inability/unwillingness to disclose and document all social security numbers or to execute a certification when numbers have not been assigned.
5. Failure to sign and submit all required verification consents, including landlord reference requests. Negative responses found on any landlord reference are cause for rejection.
6. Criminal activity:
 - Any applicant/household member who was a household member who was evicted from State- or Federally-assisted housing for drug related criminal activity, for five years from the date of eviction. Refer to page five (5) of this document, #3-Rental History.
 - Any applicant/household member who is currently engaging in illegal drug use.
 - Any applicant/household member whom DePaul Housing Management has reasonable cause to believe is involved in illegal use or a pattern of illegal use of a drug which may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.
 - Any applicant/household member who is a sex offender subject to a lifetime registration requirement under a state sex offender registration program.
 - As disclosed by background check outlined on pages four (4) and five (5) of this document.
7. Misrepresentation: Willful or serious misrepresentation in the application procedures

REJECTION PROCEDURE

1. A letter is sent to the applicant, informing him/her of the rejection and the reason(s) for the rejection.
2. The applicant is advised in this letter that he/she has fourteen (14) days to request review of the rejection. The applicant may request a meeting with the DePaul Housing Management staff reviewer to appeal the rejection.
3. A DePaul Housing Management staff member, not the staff member who made the initial decision on the application, will review the application and the decision to reject the applicant.
4. To the extent practicable, this review will be completed within five (5) business days of the applicant's request for review. However, an in-person meeting review may not be able to be completed within five (5) business days. Such a meeting will be scheduled as soon as possible.
5. The applicant will be sent a written, final determination within five (5) business days of completion of this review.

