

# ***Knights of Pythias Retirement Center***

3409 Main Street, Vancouver, WA 98663  
Phone (360) 696-4375 Website [www.koprc.com](http://www.koprc.com) FAX (360) 694-6263

## **Tenant Selection Plan**

Knights of Pythias Retirement Center is a Section 231/8 property designed, designated and committed to providing affordable retirement housing and services to the elderly and disabled persons. Knights of Pythias Retirement Center does not discriminate against applicants, tenants or employees on the basis of race, color, creed, religion, sex, sexual orientation, gender identity, national origin, familial status, disability or socio-economic class, nor on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance. The Final Rule provides equal access to housing in HUD programs regardless of sexual orientation or gender identity.

### **Project Eligibility Requirements**

- ❖ Applicant or co-applicant must be 62 years of age or older;  
OR
- ❖ Applicant or co-applicant must be handicapped or disabled;
- ❖ Applicant must be a U.S. Citizen or national OR a Non-citizen who has eligible immigration status as determined by HUD. Applicants are required to submit evidence of citizenship or eligible immigration status at time of application.
  - a. US Citizens: a signed declaration of citizenship. ;
  - b. Non-citizens 62 years and older, a signed declaration of eligible non-citizen status and proof of age;
  - c. Non-citizens under the age of 62 claiming eligible status:
    - 1. a signed declaration of eligible immigration status;
    - 2. a signed consent form; and
    - 3. one of the DHS-approved documents (list of approved documents is given to applicant upon said declaration)  
As required, all documents provided by applicants claiming eligible immigration status will be verified for validity with the Department of Homeland Security (DHS)
  - d. Non-citizens not claiming eligible immigrations status may elect to sign a statement acknowledging their ineligibility for assistance.

### **Income Limits**

- ❖ If applying for a subsidy, all persons applying for assistance must meet current income limits. Currently in Clark County, the Federal Limits for Gross Annual Income are:

1 person	\$ 26,150
2 persons	\$ 29,900

- ❖ HUD requires that we maintain a minimum of 40% of our Section 8 units for tenants with annual incomes below the “extremely low” limits. These limits in Clark County currently are:
 

1 person	\$ 15,700
2 persons	\$ 17,950
- ❖ In the event that we fall below this 40% requirement, we will select from applicants whose incomes fall below these limits in chronological order on the waiting lists prior to those higher on the list with larger incomes. Those applicants who were skipped over will be selected in chronological order on the waiting list after the 40% requirement has been met.

### **Application Submission**

- ❖ Anyone who wishes to be accepted for housing or placed on our waiting list and feels they meet the above outlined criteria must complete the appropriate application for their housing need, as well as the Authorization for Criminal Record Investigation and Reference Check Inquiry and Consent. The application and authorization forms must include a signature from the applicant, and co-applicant if applicable, certifying the accuracy and completeness of information provided.
- ❖ Applications may be obtained by the applicant stopping in and requesting a copy at the front desk, asking that one be mailed to them, or accessing our website.
- ❖ Present state issued photo identification (such as a Driver’s License or ID card) and evidence of a valid social security number for each household member.
- ❖ Excluding individuals age 62 and older as of January 31, 2010, whose initial determination of eligibility was begun prior to January 31, 2010. *(The eligibility determination is based on participation in either a Public and Indian Housing or Multifamily HUD assisted program. The eligibility date is based on the initial effective date of the form HUD 50059 or 50058, whichever is applicable. The exception status for these individuals is retained if the individual moves to a new assisted unit under any HUD assisted program or if there is a break in their participation in a HUD assisted program.)*
- ❖ Excluding those individuals who do not contend eligible immigration status.
- ❖ If an applicant, *other than those excluded above*, has a social security number but does not have the required documentation, the applicant may submit the Social Security number and certify that the number is accurate but that documentation cannot be provided. The applicant then has ninety (90) days from the date they are first offered an available unit to disclose and/or verify the SSNs. Owner must accept the certification and continue to process the application. The applicant may not become a participant in the program unless the applicant submits the required SSN documentation to the owner. If the applicant is found to be otherwise eligible for admission, they may retain their position on the waiting list for the 90 day period during which they are trying to obtain documentation. Otherwise, if the applicant has been unable to supply the required SSN documentation the applicant is determined to be ineligible and is

then removed from the waiting list. Until such a time as the SSN documentation is provided, they may not be admitted for occupancy.

- ❖ If an applicant has a family member who is under the age of 6 the tenant must disclose and provide verification of the new household member's SSN within 90 calendar days of the child being added to the household. If the family member under the age of 6 does not have a social security number assigned to them and was added to the household 6 months or less from the move-in date the owner/agent will give the household 90 days from the effective date of their move-in certification to provide documentation of the social security number for the child. An additional 90 day period must be granted by the owner/agent if the failure to provide documentation of a social security number is due to circumstances that are outside of the control of the household such as delay in processing by SSA, natural disaster, fire, death in the family, etc. During the period that the owner is awaiting disclosure and verification of the SSN, the child is included as part of the household and shall be entitled to all of the benefits of being a household member, including the dependent deduction. A TRACS ID will be assigned to the child until the time the SSN is provided. At the time of the disclosure of the SSN, an interim recertification will be processed changing the child's TRACS ID to the child's verified SSN. If, upon expiration of the provided time period, the tenant fails to disclose and provide verification of the SSN, the tenant and the tenant's household are subject to termination of tenancy.
  - ❖ The tenancy of a resident and their household will be terminated if the resident does not meet the Social Security Number disclosure, documentation and verification requirements since the household is in non-compliance with its lease.
  - ❖ Acceptable documentation of social security number include:
    - ❖ Original Social Security card
    - ❖ Driver's license with SSN
    - ❖ Identification card issued by a federal, State, or local agency, medical insurance provider, or an employer or trade union.
    - ❖ Earnings statements on payroll stubs
    - ❖ Bank statement
    - ❖ Form 1099
    - ❖ Benefit award letter
    - ❖ Retirement benefit letter
    - ❖ Life insurance policy
    - ❖ Court records
- If the applicant cannot supply the original Social Security Card and supplies one of the documents listed above, the applicant must also certify that the document provided is complete and accurate.
- ❖ References must be verifiable and yield a positive result.
  - ❖ Only single applicants will be accepted for studio apartments. A maximum of two persons will be accepted for one bedroom apartments.

- ❖ Those placed on one or more waiting lists are required to contact Owner every 6 months. Owner retains the right to remove from the waiting list(s) those who do not comply.
- ❖ Applicants are required to report to Owner any changes in household composition.

### **Denial Of Applications Of Ineligible Applicants**

Applications will be denied from households who:

- ❖ Were evicted in the last three years from federally assisted housing for drug related criminal activity, unless the circumstances leading to the eviction no longer exist (e.g. the household member no longer resides in the household or the household member has successfully completed an approved, supervised drug rehabilitation program)
- ❖ Were evicted from any non-governmental, public, flat-rate rental property for any reason.
- ❖ Any member who is currently engaged in illegal use of drugs or for which the Owner has reasonable cause to believe that a members illegal use or pattern of illegal use of drugs may interfere with the health, safety, and right to peaceful enjoyment of the property by other tenants;
- ❖ Any member who is subject to a state sex offender lifetime registration requirement; and
- ❖ Any member if there is reasonable cause to believe that member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other tenants.
- ❖ Are unable to disclose and document SSNs of all household members.
- ❖ Subsidized applicants who do not sign and submit verification consent forms or the Authorization for Release of Information (forms HUD-9887 and HUD-9887-A);
- ❖ Has household characteristics that are not appropriate for the specific type of unit available at the time, or has a family of a size not appropriate for the unit sizes that are available;
- ❖ Includes family members who did not declare citizenship or non-citizenship status, or sign a statement electing not to contend noncitizen status. However, Owner may permit families to revise their application to exclude proposed family members who do not declare citizenship or eligible noncitizen status; or
- ❖ Does not meet the Owner's Tenant Screening Criteria.
- ❖ Felony convictions for certain types of crimes will result in denial of your application. You will be denied if you have had a conviction for any type of crime that would be considered a serious threat to real property, to the peaceful enjoyment by neighbors of the premises, or crimes against a vulnerable population group. This includes the manufacture or distribution of a controlled substance.

- ❖ Certain court judgments against you may result in denial of your application. If you have been through a court ordered eviction or had any judgment against you for financial delinquency, your application will be denied.
- ❖ False information is grounds for denial. You will be denied rental if you misrepresent any information on the application. If misrepresentations are found after a rental agreement has been signed, your rental agreement will be terminated.
- ❖ All rejections will be in writing advising the reason(s) for the rejection, along with applicants' right to respond to the Owner in writing or request a meeting within 14 days to dispute the rejection. Any meeting with the applicant to discuss the rejection will be conducted by a member of the Owner's staff who was not involved in the initial decision to deny admission or assistance. Within 5 business days of the Owner response or meeting, the Owner will advise the applicant in writing of the final decision on eligibility.

### **Owner's Tenant Screening Criteria**

- ❖ Acceptable screening will include:
  - ❖ Two positive landlord references, if landlord reference is unavailable, two positive personal references or one of each.
    - A positive landlord reference would include:
      - Rent was paid in a timely manner, compliance with property policies;
      - Compliance with lease requirements, property left in an acceptable condition
      - Any balances due at move out paid in full.

Owner will run the Existing Tenant Report EIV to determine if the applicant or any applicant household members are currently residing at another Multifamily Housing or Public and Indian Housing (PIH) location. If the applicant or a member of the applicant's household is residing at another location, the Owner will discuss this with the applicant, giving the applicant the opportunity to explain any circumstances relative to his/her being assisted at another location. Applicant must understand that they cannot be subsidized at two properties at the same time.

Owner will run a national criminal background check and sex offender check upon receipt of application, upon move-in, and annually at recertification time for our subsidized tenants, and upon each anniversary of the move-in date of our market tenants. If owner verifies that tenant has been registered as a life time sex offender or convicted of any felony crime that would be considered a serious threat to real property, to the peaceful enjoyment by neighbors of the premises, a crime against a vulnerable population, or the use of a controlled substance they will be subject to termination of tenancy.

### **Applicant/Tenant Selection from Waiting List(s)**

Applicants/tenants will be chosen from waiting lists and current applicants where no waiting list exists, for an available apartment based upon the following criteria:

- ❖ Waiting Lists are maintained in chronological date order according to the date and time the application was submitted to Owner. There are separate waiting lists for each type of apartment and program, as well as a Transfer Waiting List.
- ❖ Owner will evaluate the next chronologically placed applicant who has reached the top of the corresponding Applicant Waiting List for the type of apartment available.
- ❖ Applicants who have denied an available apartment but have requested to stay on the waiting list will be moved to the bottom of the list. The date and time moved to the bottom of the list will become their new chronological order on the waiting list. After the third refusal of the same type of unit offered, the applicant will be removed from the waiting list.
- ❖ When a subsidized one bedroom apartment opens up, the owner will alternate between the outside subsidized list and the transfer list. The owner will go through the appropriate list in chronological order until the unit is rented. If the list (either transfer or outside list) is exhausted, the owner will evaluate the next chronologically placed tenant on the other list.
- ❖ If no tenant on the Transfer Waiting List or outside list accepts the available unit offered, Owner will seek current applicants who have been approved. Approved applicants are evaluated in chronological order based on date and time application was received.

### **Apartment Transfer Policy**

If a tenant wishes to be transferred to a different apartment, the criteria for this request to be considered include:

- ❖ Submission of written request to transfer using Owner's Apartment Transfer Request form.
- ❖ If a tenant is a victim of domestic violence, dating violence, stalking or sexual assault they can request an emergency transfer under the VAWA by submitting HUD-5383 to the assisted housing manager.
- ❖ Transfers may be requested for the following reasons:
  - To accommodate family size
  - Change in family composition
  - Obtain a subsidy
  - Medical reasons
  - Reasonable accommodation to household member's disability.
  - Verifiable need
  - Protection under VAWA provisions
- ❖ All transfer requests will be considered and placed on the waiting list.

- ❖ Tenants' requests are placed on the waiting list in chronological order and offers for an available unit of the type specified on Apartment Transfer Request are chosen in chronological order.
- ❖ Offers for a vacant apartment of requested type are presented to the next chronologically placed tenant on the waiting list who has requested that specific type of apartment.
- ❖ If tenant accepts offered apartment, unless transfer is requested due to a verifiable need, tenant will be subject to a one time apartment inspection to evaluate apartment maintenance, cleanliness, excessive damage to property, and safety hazards. If tenant does not pass inspection, request to transfer is denied.
- ❖ If a tenant declines an offer for the type apartment requested, that tenant is removed from the Transfer Waiting List and is ineligible for replacement on the Transfer Waiting List unless subsequent request is to meet a verifiable need.
- ❖ **All** of our units are accessible to persons with physical disabilities.
- ❖ A tenant requests an emergency transfer under VAWA protections by completing Form HUD-5383 and turning it into the assisted housing manager. If all VAWA criteria are met the transfer will be accommodated as follows: The tenant residing in a subsidized studio apartment will be transferred into the next available studio that opens up when it is vacated. The studio apartment the tenant vacates will then be given to the next applicant on the studio waiting list who accepts the unit. If the tenant resides in a subsidized one bedroom apartment the landlord will transfer the subsidized one bedroom subsidy to the next available market one bedroom unit of the same size. If a market one bedroom unit of the same size is not available then the tenant will be transferred to either the next subsidized one bedroom apartment that is vacated or the subsidy will be transferred to the next market unit of the same size that opens, whichever happens first. If the tenant transfers from a subsidized one bedroom unit to another subsidized one bedroom opening, the subsidized one bedroom that the tenant vacated will then be given to the next subsidized one bedroom applicant on the waiting list that accepts the unit. If a tenant declines the transfer for any reason other than safety the tenant is removed from the transfer list and is ineligible for replacement on the transfer list unless there is a subsequent request for VAWA protection.

### **Waiting List Closing And Opening**

It is not our policy to close the waiting list for the property.

### **Temporary Deferral Of Termination Of Assistance**

Families that were receiving assistance on June 19, 1995 under one of the programs covered by the non-citizen rules are eligible for temporary deferral of termination of assistance. If the following applies; (1) Family has no eligible member; or (2) Mixed

family qualifies for prorated assistance (and does not qualify for continued assistance) and chooses not to accept the partial assistance.

Families that have no eligible members and those that qualify only for prorated assistance and choose not to accept the partial assistance are eligible for temporary deferral of assistance. This allows families time to find other suitable housing before HUD terminates assistance. During the deferral period, the family continues to receive its current level of assistance.

The initial deferral period is for 6 months with possible extensions of up to 18 months. At the beginning of the deferral period, we will notify the family of its ineligibility for financial assistance and offer information and referral to aid in finding suitable housing. Before the end of the deferral period, we will determine whether affordable housing is available to the family and whether to extend the deferral of termination of assistance. To extend the period, we must determine that no affordable housing is available and inform the family at least 60 days before current deferral period ends. Determinations will be based upon:

- ❖ A vacancy rate of less than 5% for affordable housing of appropriate size in the area.
- ❖ Local jurisdiction's Consolidated Plan, if applicable.
- ❖ Availability of affordable housing in the market area
- ❖ Evidence of family's efforts to obtain affordable housing in the area.

Assistance will be terminated if Owner determines that affordable housing is available or when the maximum deferral term has been reached. If eligible for prorated assistance, the family may request and begin to receive prorated assistance at the end of the deferral period. Affordable housing for the purpose of temporary deferral of assistance is housing that is not substandard, of appropriate size for the family and can be rented by the family for an amount less than or equal to 125% of the family's current rent, including utilities.

### **Violence Against Woman and Justice Department Reauthorization Act of 2005 (VAWA)**

Owner policies support and assist victims of domestic violence, dating violence, or stalking and protect victims, as well as members of their family, from being denied housing or losing their HUD assisted housing as a consequence of domestic violence, dating violence, or stalking. Upon move-in you are provided notice of your rights and obligations under VAWA and given an Emergency Transfer Plan. You are given the option to complete HUD-5382 Certification of Domestic Violence, Dating Violence or Stalking. This form is also be made available in the event of a termination of tenancy or eviction started for cause proceeding. You are directed to complete, sign, and return the form within fourteen days. We may extend this time period at our discretion. Your identity will be kept confidential, not entered into any shared data base and stored in a

separate file that is kept in a separate location. Please contact your Assisted Housing Manager at the front office to receive or submit HUD-5382.

### **Eligibility Of College Students and Students Enrolled in an Institution of Higher Education**

We must determine a student's eligibility for Section 8 assistance at move-in, annual recertification, initial certification (when an in-place tenant begins receiving Section 8), and at the time of the interim certification if one of the family composition changes reported is that a household member is enrolled as a student.

Section 8 assistance shall be provided to any individual who:

- a) Is enrolled part-time or full-time at an institution of higher education 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 U. S. Military
- e) Does not have a dependent child
- f) Is not a person with disabilities (defined in 3 (b)(3) (E) of the U. S. Housing Act of 1937 (42 U.S.C. 1437 a (b) (3) (E) and was not receiving Section 8 assistance as of November 30, 2005.
- 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 or has parents (individually or jointly) who are not income eligible to receive Section 8 assistance.

For a student to be eligible independent of his or her parents (where the income of the parents is not relevant), owners must use, and the student must meet, the following criteria to be eligible for section 8 assistance as an independent student:

- a) Must be 24 years of age or older by December 31<sup>st</sup> of the award year
- b) Must be an orphan, in foster care, or a ward of the court or was an orphan, in foster care or a ward of the court at any time when the individual was 13 years of age or older
- c) Must be a veteran of the Armed Forces of the United States or is currently in service on active duty in the Armed Forces for other than training purposes
- d) Is or was immediately prior to attaining the age of majority an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individuals in State of legal residence
- e) Must be a graduate or professional student
- f) Must be a married individual
- g) Have legal dependents other than a spouse
- h) Have been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth or as unaccompanied, at risk of homelessness and self-supporting

- i) Is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances

Owner will verify the student's independence from his or her parents. To determine that the student's parents income is not relevant in determining the students eligibility for assistance the owner will do the following:

- a) Review and verify previous address information to determine evidence of a separate household verifying the student meets the U.S. Department of Education's definition of independent student
- b) Review a student's prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education's definition of independent student
- c) Verify income provided by parent by requiring written certification from an individual providing the support. Financial assistance that is provided by persons not living in the unit is part of the annual income
- d) Certification is also required if the parent is providing NO support to the student

The rule does not apply to students residing with their parents in a section 8 assisted unit or who reside with parents who are applying to receive section 8 assistance.

### **Notification to Applicants of changes in Tenant Selection Plan**

Owner will notify applicants on the waiting list of changes in the Tenant Selection Plan by mailing or emailing a copy of the changed Plan to the address applicant furnished, notifying them of the areas changed.

### **Security Deposit**

A refundable security deposit is required to be paid no later than lease execution by all tenants. The amount to be collected is dependent upon:

- ❖ The type of housing program
- ❖ The amount of total tenant payment or total rent

The amount of the security deposit at move-in does not change when a tenant's rent changes.

An applicant may be rejected if they are unable to pay the deposit.

*Individuals with disabilities have the right to request reasonable accommodations in all written notices given to applicants and tenants. Knights of Pythias Retirement Center does not discriminate against applicants, tenants or employees on the basis of race, color, creed, religion, sex, national origin, familial status, disability or socio-economic class, nor on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities. The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing*

*and Urban Development's regulations implementing Section 504 (24 CFR Part 8 dated June 2, 1988): Compliance Manager, KOPRC, 3409 Main Street, Vancouver, WA 98663, (360) 696-4375*

*The Fair Housing Act 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 federal financial assistance.*

*Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color or national origin in any program or activity receiving (HUD) federal financial assistance.*

*The Final Rule provides equal access to housing in HUD programs regardless of sexual orientation or gender identity. It is intended to ensure that housing across HUD programs is open to all eligible individuals and families regardless of actual or perceived sexual orientation, gender identity, or marital status.*

**Revised 8/2017**