

**BLIVEN PROPERTY MANAGEMENT, LLC**  
TENANT SELECTION CRITERIA & APPLICATION PROCESS  
AFFORDABLE HOUSING DIVISION  
REVISED 10/30/07

Bliven Property Management, its management teams and staff, is proud to participate in the Arizona Multi-Housing Association's Drug Free, Crime Free Housing Program in each city where we have properties. As such, we are working with neighbors and other landlords in this area to maintain the quality of the neighborhood. We want to insure that people do not use our property and rental units for illegal activity, therefore, **WE HAVE A THOROUGH SCREENING PROCESS THAT INCLUDES, BUT IS NOT LIMITED TO CREDIT AND CRIMINAL BACKGROUND SCREENING. IT IS EXTREMELY IMPORTANT THAT YOU TAKE THE NECESSARY TIME TO ANSWER EACH QUESTION COMPLETELY AND ACCURATELY.**

**Tenant Selection Criteria**

Bliven Property Management's Properties are an equal opportunity housing facility designed to provide housing to eligible families that meet the eligibility requirements for low income housing subsidized by the Department of Housing and Urban Development, Section 8. We do not employ federal, state, or local preferences in the selection of applicants or waiting list position.

Residency is open to all qualified, eligible, persons without regard to race, color, creed, national origin, age, handicap status, religion, sex, or familial status. **The State of Arizona does not recognize emancipated juveniles.**

The program income limits are targeted to low, very low, and extremely low-income families. Exact income limits are available to the public in each office.

**Section 504 of the Rehabilitation Act of 1973 and The Fair Housing Act Amendments of 1988**

1. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance from HUD.
2. 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 the presence of federal financial assistance.
3. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance from HUD.

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.)

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Each application for housing contains a form, **Special Unit Requirement(s) Questionnaire/HUD 504.** Applicants and residents having special needs are requested to complete this form to better enable us to address the special needs of those applying and those residents in place.

**Citizenship/Immigration Status-Social Security Number Requirements**

All family members, regardless of age, must declare their citizenship or immigration status at the time of application.

Head of Household/Spouse/Co-Head and adult family members claiming U.S. Citizenship must sign a declaration of citizenship and submit proof in the form of Birth Certificates, U.S. Passport or Baptismal Certificate, Social Security Cards (six years of age and older) and picture identification where applicable for all household members.

If no SSN has been assigned to a particular family member, the applicant must sign a certification stating that no SSN has been assigned. If an applicant has a SSN but does not have the required documentation in his/her possession, the applicant may submit the SSN and certify that the number is accurate but that acceptable documentation could not be provided. Applicants must provide Social Security documentation within sixty (60) days from the date on which the applicant certified the documentation was not available.

Applicants must provide documentation of Social Security Numbers in order for the owner to make an eligibility determination. Adequate documentation means a social security card issued by the Social Security Administration (SSA) or other acceptable evidence of the SSN. Other acceptable evidence is a driver's license with SSN, identification card issued by federal, state or local agency, a medical insurance provider, or an employer or trade union. Earnings statements on payroll stubs, bank statements, Form 1099, benefit award letter, retirement benefit letter, life insurance policy or a court record.

Individuals who have applied for legalization under the Immigration and Reform Control Act of 1986 will be required to provide a letter from the DHS (Department of Homeland Security) indicating social security numbers have been assigned.

Non-citizens (except those 62 and older) must sign Verification Consent Form and submit documentation of their status or sign a declaration that they do not claim to have eligible status. Non-citizens age 62 and older must sign a declaration of eligible immigration status and provide a proof of age document. Non-citizens claiming eligible status must submit one of the following documents: Form I-551 Alien Registration Receipt Card, Form I-94 Arrival – Departure Record annotated, I-94 Arrival – Departure Record (with no annotation) but accompanied by additional documentation. Check with your admissions office for the additional requirements. Form I-668B Temporary Resident Card annotated “Provisions of Law 274a, 12(11) or Provision of Law 274a.12, Form I-668 Temporary Resident Card annotated “ Section 245A” or “Section 210”. A receipt issued by DHS indicating that an application for issuance of a replacement document in one of the above listed categories has been made and the applicant's entitlement to the document has been verified. Form I-151 Alien Registration Receipt Card, or other acceptable evidence.

### **Mixed Family**

A mixed family is one whose members include citizens and eligible immigrants as well as non-citizens without eligible immigration status. Applicant families that are mixed are eligible only for prorated assistance.

Validity of documents provided by applicants is verified through the SAVE ASVI database, the Department of Homeland Security automated system.

### **Temporary Deferral of Termination of Assistance**

Currently assisted 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 termination of assistance of up to 6 months in order to find other suitable housing. **Extension of the initial deferral will not be granted.**

### **Application Procedures**

A sign will be clearly posted in the lobby to indicate whether the waiting list is currently opened or closed and if applications are being accepted.

**CLOSING WAITLIST:**

- a. The waiting list may be closed for one or more unit sizes when the average wait is excessive. (i.e. more than two years).
- b. If the waitlist is closed, management will inform applicants the list is closed and will refuse to accept applications.
- c. When the owner decides to no longer accept applications, the owner will publish a notice in the Arizona Republic of the closure of the waitlist. The notice will state the reason(s) the waitlist has been closed.

**OPENING WAITLIST:**

- a. When the owner agrees to accept applications again, the notice of this action will be announced in the Arizona Republic. We will list the rules for applying and that the applications will be accepted on a first come, first serve basis. The notice will state the place and time applicants can apply.

All applications must be filled out completely, signed and submitted to the appropriate property office in person. (Out of state applications will be accepted by mail.) Applications will not be faxed to an applicant or accepted by facsimile. **Incomplete applications will not be accepted, processed or entered on the waiting list. Answer all questions. Do not leave any space blank.**

**Applications are accepted on a first come, first serve basis.** We do not employ preferences previously mandated by Federal Regulations. Falsification, misrepresentation or intentionally withholding any information may result in rejection of the application. All information submitted is subject to verification and the applicant's signature on the application indicates applicant's consent for verification.

1. Each adult, 18 years old must complete an application. Applicants under the age of 18 years of age are not eligible to apply. The State of Arizona does not recognize emancipation of juveniles.
2. Rental history must be verifiable and unbiased. All applicants must furnish a complete five (5) year residential history. **INCLUDE ALL MAILING ADDRESSES YOU HAVE USED DURING THE PREVIOUS FIVE (5) YEARS.**
3. It is your responsibility to provide us with the information necessary to contact your past landlords. Accurate mailing addresses and phone numbers will expedite the processing of your application. We reserve the right to deny your application, if, after making a good faith effort; we are unable to verify your rental history or personal references.
4. Income and/or resources must be declared. You must declare all income, assets, bank accounts and other cash resources when you apply. Additionally, real property, cash value life insurance, stocks, bonds, mutual funds and certificates of deposit in which you have an ownership interest must be declared.
5. Acceptable credit and landlord references as defined herein.
6. Criminal background screening for the most previous seven (7) years. (See Criminal Background Screening below.)

**Income Targeting**

The Quality Housing and Work Responsibility Act of 1988, (24 CSR 5.653) Part V, sub-paragraph A., requires owners of subsidized Section 8 Low Income Housing to make at least 40 percent (40%) of the assisted units that become available in each year of the projects fiscal year available for leasing to families whose income do not exceed 30 percent (30%) of the area median income ("extremely low-income") at the time of admission.

**Applicants achieve income targeting as described above following the standard waiting list order with no additional procedures.** Quarterly, move-in initial certification statistics are reviewed for compliance with income targeting and the need to implement a special or different selection method than is outlined herein.

### **Applicant Screening Criteria**

**In addition to the above eligibility criteria, applicants must:**

1. Attend an interview with the on-site manager or occupancy specialist. All members of the household listed on the application must attend.
2. Have an acceptable credit history and acceptable landlord references as defined below:
  - ❑ An applicant must have a FICO (Fair Issac Company) Score of 550 or above as reported by **Experian Credit Reporting Bureau**.
  - ❑ **Negative credit as a result of medical is not considered in our computation and application of credit scores.**
  - ❑ No Credit/No Landlord History: APPLICANT WILL BE REQUIRED TO PROVIDE THREE (3) PERSONAL REFERENCES THAT ARE VERIFIABLE. Family member, clergy, social service workers, shelter administrators etc.
3. Agree to have all income assets verified by the source.
4. Provide documentation of social security numbers for each household member.
5. Provide required documentation to determine citizenship or eligible non-citizen status as required by Section 214 of the Housing and Community Development Act of 1980, as amended and implemented by the Final Rule published in the Federal Register on March 20, 1995 entitled Restrictions of Assistance to Non-Citizens.
6. **A Good Landlord Reference** – is when current and/or previous landlords are willing to report that all members of the applicant family have made rental payments in a timely fashion. Have maintained the premises in a clean and sanitary fashion, have not violated the lease or house rules, have not used the premises for unlawful activities and have supervised children and guests. Must not have been evicted from any housing or had an unlawful detainer, WRIT OF POSSESSION FILED IN THE MOST PREVIOUS FIVE (5) CALENDAR YEARS AND HAVE SATISFIED ANY JUDGEMENTS.

### **Criminal Background Screening**

**Pursuant to HUD Housing Notice H2002-22, applicants will be rejected based on:**

- a. Any member of the household is subject to a lifetime registration requirement under a State Sex Offender Registration Program.
- b. Any member of the household is a sex offender not subject to sex offender registration.
- c. Any household member has been evicted from federally assisted housing for drug-related criminal activity, for five years from the date of eviction. If the evicted household member who engaged in drug related criminal activity has successfully completed a supervised drug rehabilitation program or circumstances leading to the eviction no longer exist, the Owner may, but is not required to, admit the household.
- d. Any household member is currently engaging in illegal drug use.
- e. The Owner determines that there is reasonable cause to believe that a household member's illegal use or a pattern of illegal use of a drug may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. Evidence of illegal activities may include a conviction record and/or former landlord references.
- f. The applicant or household member(s) has been convicted of/admitted to, on parole for, or probation for **any** type of crime that would be considered a threat to real property, or the ability of other residents to peaceful enjoyment of the premises. Including the use, manufacture or distribution of controlled substances in the last seven (7) years.
- g. The applicant or household member(s) is or has been identified by law enforcement as a known street gang member or associate.

### **Rejection Criteria**

An applicant can be rejected for any one of the following reasons:

1. Negative credit screening as described above.
2. Criminal activity as described above.
3. The household income does not meet income guidelines.
4. The applicant has derogatory or unsatisfactory credit history as reported by a credit agency, as defined herein.
5. The applicant has verified poor or unsatisfactory housekeeping habits.
6. There is a submission of false or untrue, inconsistent or incomplete information on the application or failure to cooperate in the verification process.
7. Negative landlord references are received from either present or past landlords.
8. The household size is not appropriate for the units available.
9. Failure to sign designated or required forms and/or documents upon request.
10. The applicant has been evicted or had an unlawful detainer filed from other housing.
11. The applicant has a household pet defined as a dog, cat, bird, or reptile.
12. This property will not be the applicant's only residence.
13. The applicant is not capable of fulfilling the LEASE AGREEMENT or HOUSE RULES with or without assistance.
14. The owner determines there is reasonable cause to believe that a household member's abuse or pattern of abuse of alcohol interferes with the health, safety, or right of peaceful enjoyment of the premises by other residents.
15. Applicant family does not have a least one member who can demonstrate eligibility based upon immigration status.
16. The applicants' assistance or tenancy in a subsidized housing program has been terminated for fraud, non-payment of rent, damages, or failure to cooperate with re-certification procedures.

**Eligibility of Students for Assisted Housing** : December 30, 2005 Department of Housing and Urban Development published a final rule implementing a new law that restricts individuals who are (1) enrolled at an institution of higher education, under the age of 24, not a veteran, unmarried, and do not have a dependent child, and (2) seeking assistance under Section 8 of the United States Housing Act of 1937 in their individual capacity (that is, separately from their parents) from receiving section 8 assistance if neither the student nor the student's parents are income eligible.

The ruling states:

1. Applicants that are under the age of 24, unmarried, without a dependent, and not a veteran must provide their parents income which will be used in determining eligibility for housing. If the student's parent's income is above the income limits the student will not be eligible for housing.
2. In order to remove the requirement to use the parent's income, the student must be able to show independence from the parents. The practices and criteria include but are not limited to the consideration of all of the following:
  - A. The individual must be of legal contract age under state law.
  - B. The individual must have established a household separate from the parents or legal guardians for at least one year prior to **application** for occupancy or the individual meets the U.S. Department of Education's definition of an independent student.

U.S. Department of Education requires that an independent student must meet one or more of the following criteria:

1. Be at least 24 years old by December 31 of the award year for which aid is sought;
2. Be an orphan or a ward of the court through the age of 18;
3. Be a veteran of the U.S. Armed Forces;
4. Have legal dependents other than a spouse (for example, dependent children or an elderly parent);
5. Be a graduate or professional student; or,

6. Be married.

- C. The individual must not be claimed as a dependent by parents or legal guardians pursuant to IRS regulations.
- D. The individual must obtain a certification of the amount of financial assistance that will be provided by the parents, signed by the individual providing the support. This certification is required even if no assistance will be provided.

Any Financial assistance, in excess of amounts received for tuition, that an individual receives under the Higher Education Act of 1965 from private sources or an institution of higher education (as defined under the Higher Education Act of 1965) shall be considered income to that individual. There are two exceptions to this income calculation requirement. No financial assistance that an individual receives under the Higher Education Act of 1965 from private sources or an institution of higher education (as defined under the Higher Education Act of 1965) shall be considered income if the student is:

- 1. Living with his/her parents/guardian or
- 2. A person over the age of 23 with dependent children

**Exemption for College Students with Disabilities:**

On July 27, 2006, President Bush signed into law an amendment that exempts college students with disabilities from the restriction on providing Section 8 rental assistance to college students if the student with the disability was receiving the assistance as of November 30, 2005.

**Minimum Rent Tenants/No Work/No Income Tenants:** All applicants applying for housing who claim they do not work and have no income will be required to perform quarterly certifications. Certifications will be performed in September, December, March, and June. All tenants will be required to submit a new No Work/No Income Declaration, a Living Expenses questionnaire, and a letter stating how living expenses will be paid.

**Rejection Procedures:**

When an application is rejected by management the applicant will be notified in writing promptly. This written statement, will be sent in a timely fashion, will include the reason(s) for rejection, and state that the applicant has the opportunity to request a meeting with management to discuss the rejection. The applicant will be further instructed to request the meeting in writing within 14 days of the receipt of the rejection letter.

If the applicant requests a meeting, the written request must be received by the management office within 14 days of the date of the rejection notice. The requested meeting will be held by management within a reasonable period of time (usually within 14 days) and will be attended by a "disinterested" third party that did not participate in the rejection decision. After the meeting, the applicant will be notified in writing within five (5) business days whether or not the original decision has been changed.

Rejected applicants may not re-apply for a period of one (1) year from the date of the original rejection letter or date of management's action on appeal of rejection of the original application. Applicants that cure negative credit and present a clean credit report from an acceptable credit reporting agency may re-apply at will.

All application documents and correspondence are kept in a confidential file for three (3) years. Applications become the property of Bliven Property Management and will not be returned to the applicant under any circumstances.

**Waiting List Administration**

If the information on the application appears to meet the eligibility requirements of the property, the applicant will be placed on the waiting list according to date and time of application submission. Eligible applicants on the waiting are notified of their status and are required to contact the office of the property where they applied every six (6) months by May 31 and by November 30 to update the information and confirm continued interest in remaining on the waiting list. Failure to do so will result in the cancellation of the application and removal from the waiting list. The office must be notified in writing immediately, if, at any time, the applicants mailing address, income or household status changes. Failure to update an application will result in cancellation and removal from the waiting list.

January 15<sup>th</sup> and June 15<sup>th</sup> of each year, a **screening notice** will be mailed to each applicant on the waiting list. Applicants must return the completed form in the postage paid envelope provided. Failure to return the completed screening form by February 1<sup>st</sup> and July 1<sup>st</sup> will result in the removal from the waiting list. Returned mail as “undeliverable” is evidence of the applicant’s failure to update information as required above.

Applicants’ may be removed from the waiting list if the applicant no longer meets the eligibility requirements for the property or program. Applicants may be removed from the waiting list if the applicant fails to respond to a written notice for an eligibility interview. The unit that is needed – using family size as the basis – changes, and no appropriate size unit exists in the property.

Failure to respond to two (2) notices of interview, or two (2) unexcused failures to attend an agreed upon interview, one (1) failure to move in after a deposit has been received, or two (2) failures to accept an offered apartment will result in applicants removal from the waiting list.

The waiting list may be closed without notice to any further applicants when the average wait for any particular bedroom size unit exceeds one (1) year. Notification will be posted in the office and published in the local newspaper. When the property agrees to accept applications again, the notice of this action will be published in a like publication indicating place of application.

### **Occupancy Standards**

1. Household composition must meet the occupancy standards. The current standards are:

<b><u>Unit Size</u></b>	<b><u>Minimum</u></b>	<b><u>Maximum Persons</u></b>
1 Bedroom	1	3
2 Bedroom	2	5
3 Bedroom	3	7

**To determine the proper bedroom size an applicant may qualify for, the owner may consider the following:**

- a. All full time members of the household.
- b. Relationship of the occupants. (related/unrelated)
- c. Children away at school, but living at home during school recess.
- d. Children subject to custody agreements or joint custody but live in the unit at least 50% of the time.
- e. An unborn child.
- f. Foster children.
- g. Qualified live-in attendants.
- h. Marital Status – Married/common law couples must occupy a one-bedroom apartment. Certain conditions such as medical or handicap status would also apply.

### **Transfer Policy**

#### **I. General:**

Unit transfers are expensive for the property owner. Regardless of how fast a transfer is accomplished, the owner will suffer a monetary loss in rent, time labor and materials. However, we recognize that transfers are necessary and required under certain circumstances and in other cases, a transfer may enhance the livability of the complex for the resident, residents or management.

Tenants are not eligible for transfer during the first three (3) years of residency at a Bliven Property Management owned or managed property within the category described below as Tenant Benefit.

Requests for transfer must be made in writing. Each property will maintain a transfer waiting list of eligible tenants requesting a transfer. Only eligible tenants will be maintained on the waiting list.

Tenants requesting transfer under the category of “tenant benefit” will be required to pay all costs associated with the move. Paragraph 7-16B2, 4350.3 Rev. 1 page 7-25.

## **II. Unit Transfers**

When a unit becomes available, transfer requests will be given preference over applicants on the waiting list in the following order:

**Medical ~ Verified Handicap/Disability**

**Regulatory and Compliance**

**Family Composition**

**Management Request**

**Tenant Benefit** (providing residency requirements have been met)

## **III. Definitions**

- A. Medical, Handicap/Disability: A member of the household that is the head, co-head, dependent or other family member that was originally listed on the lease at move-in or is a child born or adopted into a family that becomes disabled pursuant to HUD Rules and Regulations regarding verification of disability.
- B. Regulatory and Compliance: If a household no longer meets the minimum standard for occupancy; the Department of Housing and Urban Development requires the owner to transfer the tenant to an appropriate unit. If a non-handicapped/disabled person occupies a unit designed and equipped for a handicapped/disabled person, the tenant must transfer to an appropriate unit.

**Tenants may decline to transfer but must pay market rent in accordance with HUD Rules and Regulations for as long as the tenant occupies the unit regardless of income eligibility.**

- C. Family Composition: Family composition change includes children born or adopted into a family since occupying the unit. Proof of pregnancy is acceptable. Age and sex of children will be considered in requests for unit transfer under family composition but is not a determining factor, as parents must determine the appropriateness of the living environment. Family composition, for the purpose of transfer, does not include or apply to household members, adult or children, post move in that join the lease.
- D. Management Request: From time to time management may request that a household move to another unit in order to enhance the livability of the complex or to meet financial and operational goals. Residents will receive a thirty (30) day notice of management’s intent to transfer and may decline such a transfer. The owner will not be responsible for relocation expenses.
- E. Tenant Benefit: Transfer requests that do not fall into the previous described category are described as *tenant benefit transfers*. Certain restrictions apply to tenant benefit transfers. Please see the heading: restrictions.

#### **IV. Unit Security Deposit**

- A. A new security deposit will be required on the unit being transferred based upon current rent and must be posted prior to transfer. The existing security deposit will be refunded to the tenant less any move out adjustments for cleaning or damage.
- B. Security deposits are required thirty (30) days in advance of a transfer.

#### **V. Split Household Transfers**

- A. **Definition:** A split household transfer exists when one member or members of a household, but not the entire household, requests a transfer to another unit. This type of a transfer subverts the waiting list and will be denied by management.
- B. If a member or members of a household, but not the entire household desire a unit by themselves, they must apply through the waiting list process.

#### **VI. Restrictions**

- A. Tenants must be in good standing.
  - 1. Rents paid on time in the previous year prior to transfer.
  - 2. A current account. (No outstanding charges or promissory note.)
  - 3. Not more than one (1) non-compliance notice in the most previous two (2) years.
  - 4. A history of good housekeeping established by satisfactory unit inspections.
- B. A reasonable request. The tenant must demonstrate a reasonable and redeeming benefit or value to the household and/or management.
- C. Notwithstanding required transfers and management request transfers, transfers for the "benefit of the tenant" will not be granted in any month wherein the property has been notified by a "Tenant's 30-day Notice of Intent to Vacate".
- D. The transferring tenant will be required to complete the transfer within three calendar days of taking possession of the new unit. Tenant will be responsible for paying the pro-rated market rent on the vacated unit should there be a holdover in the vacating unit, applicable to all transfer categories.
- E. Not more than one (1) transfer will be granted per vacancy in any quarter subject to other conditions, requirements or restrictions contained herein. Any unit vacated due to a transfer will be filled from the applicant waiting list provided the complex occupancy standards and/or HUD guidelines have been met.

**I have received, read, and I understand the foregoing Tenant Selection Criteria for this property.**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name