

# Saltgrass Landing Apartments Tenant Selection Plan

## 1602 S Church St, Rockport, Texas 78382

### PH: 361-226-4129 TDD: #711

(PROVIDE TO EVERY APPLICANT. ASK THEM TO READ AND SIGN PRIOR TO SUBMITTING A COMPLETED APPLICATION. ATTACH ORIGINAL TO APPLICATION AND GIVE APPLICANT A COPY.)

The Tenant Selection Plan (TSP) will be applied in a manner consistent with all applicable laws, including the Texas and Federal Fair Housing Acts, the Federal Fair Credit Reporting Act, program guidelines, and agency rules. The above property will comply with state and federal fair housing laws and antidiscrimination laws, including, but not limited to consideration of reasonable accommodation requested to complete the application process.

#### I. PROGRAM ELIGIBILITY: (GLO-CDBG-DR Program)

- **Eligibility for Occupancy:** shall be determined eligible for occupancy before a resident occupies an apartment. For each such determination, applicants shall provide owner with all information necessary to prepare a Tenant certification and shall provide owner with all requested documentation and execute such authorizations to allow owner to verify resident's income, assets, household occupants, student status, and other information as necessary to determine applicant is eligible for occupancy.
- **Household Income:** Annual income may not exceed the applicable income limits established by GLO-CDBG Disaster Recovery Program (CDBG-DR). Households must be set at levels that are affordable to Low-Moderate-Income persons or households earning 80% or less of the Area Median Family Income and 5% of the total number of units must be used for Qualifying Units occupied by Extremely Low Income.
- **Income and Rent Limits:** are published on an annual basis and are project specific. The following income and rent limits are used to determine GLO- CDBG-DR Program eligibility at move in:

Aransas, County, Texas										
FY 2021 Income Limits Area	Median Family Income	FY 2021 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Aransas County, TX HUD Metro FMR Area	\$61,700	Extremely Low Income Limits (\$)	\$12,950	\$14,800	\$16,650	\$18,500	\$20,000	\$21,500	\$22,950	\$24,450
		Low (80%) Income Limits (\$)	\$34,550	\$39,500	\$44,450	\$49,350	\$53,300	\$57,250	\$61,200	\$65,150

- **Social Security Number:** Social Security Numbers must be disclosed for all household members over 6 years of age.
- **Release of Information:** The Tenant, Co-tenants and all adult (18 years of age or older) members of the family must sign a consent to release wage matching data and an authorization for release of information prior to being accepted and every year thereafter. Applicant family must understand that all information reported is subject to verification.
- **Only Residence:** The unit, for which the family is applying, must be the family's only residence.
- **HUD Student Restrictions (determines eligibility for assistance):** O/A is required to screen and document student status for each individual(s) the age of 18 and under the age of 24. Student eligibility must be determined at move-in, annual recertification, initial certification, and interim certification if the family composition changes due to a household member becoming enrolled as a student. Section 8 assistance shall be provided 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; when the student:

- ☐ Is a person with disabilities, as such term is defined in section 3(b) (3) (E) of the 1937 Act and was receiving assistance under section 8 of the 1937 Act as of November 30, 2005
- ☐ Student is a veteran
- ☐ Student is married
- ☐ Student has a dependent child
- ☐ Student is at least 24 years old by December 31 of the award year for which aid is sought

- ☐ Student currently lives with their parents who are receiving Section 8 assistance
- ☐ Student's parents, individually or jointly, are income eligible for Section 8 assistance
- ☐ Student can demonstrate financial independence from his/her parents for a period of one year prior to the date of application for housing
- ☐ Student is working on a master's or doctorate degree program (such as M.A., M.B.A, Ph.D., graduate certificate, etc.)
- ☐ Student is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of a court at any time when the individual was 13 years of age or older
- ☐ Student 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 State of legal residence
- ☐ Student has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homelessness Assistance Act), or as unaccompanied, at risk of homelessness, and self-supporting and can be verified by one of the following:
  - A local educational agency homeless liaison, designated pursuant to the McKinney-Vento Homeless Assistance Act.
  - The director of a program funded under the Runaway and Homeless Youth Act or a designee of the director.
  - The director of a program funded under subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director.
  - A financial aid administrator can make a documented determination by reason for unusual circumstances of independence.

**Note:** If a student does not meet the eligibility criteria above, but can prove independence from parents under HUD rules, then the student would meet HUD's student eligibility criteria.

**Note:** If an ineligible student applies for or is a member of an existing household receiving Section 8 assistance, the assistance for the household will not be prorated but will be terminated.

- **Household Size:** The number of persons should be no less than 1 person per bedroom and no more than two persons per bedroom, plus one person per unit. The occupancy policy is designed to achieve utilization of subsidized space without overcrowding or providing more space than is needed by the number of people in the household and is further addressed in the development's written policies and procedures.

## II. APPLICATIONS & WAITING LIST:

- An application fee of \$10 per adult household member is required to be paid at time of application.
- Only completed applications will be considered. If an application is incomplete, we will notify the applicant in writing.
- Applications for housing or transfer will be accepted during normal business hours at the leasing office in person or by mail to: **Saltgrass Landing Apartments, 1602 S Church St, Rockport, Texas 78382**. If you require a reasonable accommodation to complete the application process, please contact onsite manager at Ph: 361-226-4129 or Fax: 361-226-4129 or Email: saltgrass@hamiltonvalley.com.
- An interview with the on-site property manager and prospective family is required at the time of the application. The applicant must notify the property if information provided at application has changed.
- Applicants may apply for more than one unit size and may appear on multiple waiting lists, based upon the application dates and times and qualification for units applying for.
- The waiting list will never close.
- Vacant units will be filled in the following manner:
  - 1) Unit Transfer – Requests to transfer will be prioritized in the following order.
    - a) A unit transfer based on the need for an accessible unit, or reasonable accommodation; or medical reasons or VAWA
    - b) Household needs a bigger or smaller unit
    - c) Household qualifies for a deeper subsidy
    - d) All other request transfers will be accommodated every third move-in

- 2) New Applicants - Vacant units will be offered to eligible applicants according to date and time of application.
- Eligibility is determined on a unit by unit basis. For example, a unit may be required to lease to a specific income category or to a household that contains a person with mobility impairment.
  - All transfers will require management approval and must meet household income and composition eligibility criteria for the specific unit they are requesting. Security deposits will be transferred without deduction to the resident's current ledger. Any charges related to the previous unit (rent, damages, fees, etc.) will be charged and due at time of transfer.
  - Accessible Units: Owner and/or Agent (O/A) shall take reasonable steps to maximize the utilization of accessible units by eligible individuals whose disability requires the accessibility features of the particular unit.
    - 1) First, to a current occupant of another unit having a handicap requiring the accessibility features of the vacant unit.
    - 2) Second, to an eligible qualified applicant on the waiting list having a handicap requiring the accessibility features of the vacant unit.
    - 3) Third, if there are no applicants or residents on the waiting list for an accessible unit, the unit may be offered to an applicant not having handicaps requiring the accessibility features of the unit. The applicant/tenant unit is required to agree to move to a non-accessible unit when available.

### III. RESIDENT SELECTION CRITERIA:

- **Capacity:** Tenant and co-tenant must be at least 18 years of age and have the legal ability to enter into a contract.
- **Identity:** All household members 18 years of age or older must provide proof of identity (ie: government issued photo ID).
- **Credit:** Each applicant's credit will be researched through a 3rd party credit agency. The following items may have an effect on your rating: Past due payment, Collections or write-offs, Bankruptcies, Foreclosures, Repossessions, Tax Liens/Judgments, NSF checks, Multiple ID's. Your credit score must be above 675, or with mitigating circumstances, an additional security deposit may be required, equal to one month's basic rent.
- **Minimum Income:** You must have verifiable income (pay stubs, tax returns, etc.) that is at least (2.5) times the amount of the rent. Does not apply to household receiving rental assistance from a government source.
- **Rental:** Verification of six years of rental history will be obtained. Having no prior rental history will not be a reason to reject an application. An application will be denied if there is (1) nonpayment of rent; (2) housekeeping habits that would pose a threat to the property or other residents; (3) disturbing the neighbors; (4) violating the terms of previous rental agreements.
- **Criminal:** All occupants 18 and older will be subject to a criminal background check. Any household member's behavior or documented pattern of abuse of alcohol or drugs that is determined by management to potentially interfere with the health, safety and right to peaceful enjoyment by other residents will be denied. Any household member that have been evicted (within the last 5 years) for drug related activity, or currently engage in use of illegal drugs or are subject to state sex offender lifetime registration requirement will be denied occupancy. Applicants that have a criminal conviction, current indictment or adjudicated sentence for possession, sale, manufacture or distribution of controlled substances, prostitution, theft, burglary, robbery, fraud, or any crimes involving firearms or crimes against persons or crimes against property MAY be denied occupancy depending upon the seriousness of the offense and length of time since the conviction.
- **Immigration Status:** Every household member must be a U.S. citizen or have legal immigration status.
- **Reasons for rejection of an applicant include, but are not limited to:**
  - 1) A record of nonpayment of financial obligations.
  - 2) Past rental including but not limited to, non-payment of rent, failure to cooperate with applicable re-certification procedures, violations of house rules, violations of lease, disruptive behavior and/or housekeeping habits that would pose a threat to the property or other residents.
  - 3) Termination of assistance for fraud.
  - 4) Previous evictions.
  - 5) Family size exceeds occupancy standards.
  - 6) Family fails to provide the necessary documentation required to determine eligibility for this program.
  - 7) Any adult member of the family fails to sign the appropriate consent forms.

- 8) Applicant's failure to meet any eligibility requirements or screening criteria list previously.
  - 9) The family's annual income exceeds program income limits.
  - 10) The unit for which the family is applying for will not be the only residence.
  - 11) Applicant does not agree to pay rent required by the program under which the family will be receiving assistance.
- **Violence Against Women Reauthorization Act (VAWA):** O/A will comply with the Violence Against Women Act (VAWA). O/A will not deny assistance or admission to any person because that person is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, provided that such person is otherwise qualified for admission. Protections are available to all victims regardless of sex, gender identity, or sexual orientation and will be applied consistent with all nondiscrimination and fair housing requirements. All applicants and tenants will be provided HUD-5380 "Notification of Occupancy Rights Under the Violence Against Women Act (VAWA)," HUD-5382 "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation," HUD-5381 "Emergency Transfer Plan," and HUD-5383 "Emergency Transfer Request."
  - **Mitigating Circumstances:** On a case-by-case basis, we may waive or modify some criteria requirements based upon our reasonable judgment. For example, credit shows unfavorably due to a medical emergency, a contested divorce, etc.

#### IV. DENIAL OF APPLICATION:

- All applicants whose application is rejected will receive a written notification, sent 1st class mail within 7 days from the date the application was determined ineligible, listing the specific leasing criteria from the signed Tenant Selection Plan at time of application. When 3rd party screening information is obtained and used to reject an applicant, a Letter of Disclosure will be mailed to applicant according to the Federal Fair Credit Reporting Act. If applicant wishes to appeal the rejection, they may do so by contacting Hamilton Valley Management in writing within 14 days of the date on the letter of ineligibility at P.O. Box 190, Burnet, Texas, 78611.
- In accordance with Federal law, "This institution is prohibited from discriminating on the basis of race, color, religion, familial status, national origin, sex, or disability." Persons subject to protection under the Violence Against Women's Act (VAWA) or Persons with Disabilities with a need to request a reasonable accommodation in relation to the notice should contact the onsite manager.
- The following forms will be attached to notice of denial; HUD-5380 "Notification of Occupancy Rights Under the Violence Against Women Act (VAWA)," and HUD-5382 "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation."
- The property will keep a log of all denied applicants that completed the application process to include basic household demographics and rental assistance information, if requested during any part of the application process. The specific reason for which an applicant was denied, the date the decision was made, and a file of all rejected applications must be maintained the length of time specified in the applicable programs recordkeeping requirements and should include a copy of the written notice of denial and the Tenant Selection Criteria policy (TSP) under which the applicant was screened.

#### V. SECURITY DEPOSIT:

- Security Deposits are refundable according to lease terms.
- Tenants with a credit score above 675 will be charged a security deposit of \$300.00, for others with a credit score of 675 or below will be charged a security deposit in an amount equal to one month's basic rent.

#### VI. GENERAL RULES:

- Residents of this property are required to pay the rent in a timely manner and follow lease requirements as well as apartment rules and regulations. Residents and applicants may request a copy at any time. They will sign an acknowledgement of receiving and understanding the apartment rules and regulations upon lease signing. Management will notify in writing, 30 days prior to the implementing of any changes to the apartment rules and regulations.
- Pay 1st months' rent and security deposit in full prior to taking possession of the apartment.
- This property does allow a pet subject to the Pet Policy. A \$300.00 refundable pet deposit with a signed pet agreement must be initiated prior to pet occupancy. Qualified service/assistance animals are not subject to the pet policy or to specific animal, number, weight restrictions, pet rules, and pet deposits.

- Management will perform a housing quality inspection of every unit on a quarterly basis.

## **VII. ANNUAL AND INTERIM REPORTING REQUIREMENTS:**

- Residents are required to certify annually on the anniversary date of the household's move in or initial designation or whenever there is a change in family size. For each such annual determination, tenants shall timely provide owner with all information necessary to prepare a Tenant certification and shall provide owner with all requested documentation and execute such authorizations to allow owner to verify resident's income, assets, household occupants, student status, and other information.
- Any new household member 18 or older will be required to fill out an application and meet resident screening criteria prior to occupancy. The new member will provide owner with all information necessary and execute such authorizations to allow owner to verify resident's income, assets, student status, and other information as necessary to determine eligibility for occupancy. The new tenant's income is added to the income disclosed on the existing household's most recent tenant income certification.

**VIII. UTILITY ALLOWANCES:** Affordable housing programs establish restrictions on tenant rent contributions – Tenant contributions must cover both rent and a reasonable amount of basic utilities. Where utilities are tenant-paid, tenants must receive a credit toward their total rent contribution known as a "utility allowance" to ensure compliance with the program's rent limitations. This property uses the annual Utility Allowance established by the local PHA for the Housing Choice Voucher Program. The published allowance will be implemented according to lease terms and may increase or decrease the rents.

**IX. TERMINATION OR NON RENEWAL OF TENANCY:** Terminations of tenancy will only be sought when tenants are in material non-compliance with the lease or other good cause as defined by the lease agreement. Non-renewals of leases without good cause are prohibited. The below are examples of material non-compliance or good cause.

- 1) Non-Payment of Rent
- 2) Material Non-Compliance & Other Good Cause includes the below:
  - a) One or more substantial violations
  - b) Repeated minor violations
  - c) Failure of the tenant to timely supply all required information to complete a recertification
- Termination of occupancy notices will require a 3-30 day notice period.
- Persons subject to protection under the Violence Against Women's Act (VAWA) or Persons with Disabilities with a need to request a reasonable accommodation, in relation to the termination or non-renewal notice should contact the onsite manager.
- The following forms will be attached to notice of non-renewal or notice of termination of occupancy.
  - 1) HUD-5380 "Notice of Occupancy Rights under the Violence Against Women Act," and
  - 2) HUD-5382 "Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation."

**X. REASONABLE ACCOMMODATIONS:** This property will make reasonable accommodations for individuals with handicaps or disabilities. Such accommodations may include changes to policy, procedures and structural modifications when necessary to afford equal opportunity for all individuals to participate in this housing program. Management will take appropriate steps to ensure effective communication with applicants, beneficiaries, and members of the public with disabilities so they may have an equal opportunity to participate in and enjoy the benefits of the program. If you wish to request a reasonable accommodation, please contact the on-site property manager. The owner will respond to requests for accommodation within 10 days. Texas Administrative Code Title 10, Part 1, Chapter 1, Subchapter B provides more detail about reasonable accommodations.

**XI. FAIR HOUSING AND EQUAL OPPORTUNITY:** It is our policy to comply with section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act and other relevant civil rights laws and statutes. We do not discriminate on the basis of race, color, religion, sex, disability, familial status, national origin or sexual orientation.

**XII. PRIVACY POLICY:** It is the policy of Hamilton Valley Management, Inc. to guard the privacy of individuals conferred by the Federal Privacy Act of 1974, and to ensure the protection of records maintained by Hamilton Valley Management, Inc. on such individuals. Therefore, neither Hamilton Valley Management, Inc. nor its agents will disclose any personal information contained in its records to any person or agency unless the individual about whom the information is requested has given written consent to such disclosure.

**XIII. VIOLENCE AGAINST WOMEN ACT (VAWA):** In compliance with the HUD Federal Register, Volume 81, No. 221, Wednesday November 16, 2016: Violence Against Women Act. The Violence Against Women’s Act (VAWA) provisions, HUD Form 5380 “Notice of Occupancy Rights under the Violence Against Women Act,” and HUD Form 5382 “Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation,” are attached to this Tenant Selection Plan for review and signature by applicant and/or tenant. VAWA provisions are addressed in the development’s additional written policies and procedures.

*Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government. HUD and any owner (or any employee of HUD or the owner) may be subject to penalties for unauthorized disclosures or improper use of information collected based on the consent form. Use of the information collected based on this verification form is restricted to the purposes cited above. Any person, who knowingly or willingly requests, obtains or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or participant affected by negligent disclosure of information may bring civil action for damages, and seek other relief, as may be appropriate, against the officer or employee of HUD or the owner responsible for the unauthorized disclosure or improper use. Penalty provisions for misusing the social security number are contained in the \*\*Social Security Act at 208(a) (6), (7) and (8). Violation of these provisions are cited as violations of 42 U.S.C. 408 (a) (6), (7) and (8). \*\**

---

Applicant’s Signature

---

Date

---

Print Applicant’s Name