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# PASO ROBLES HOUSING AUTHORITY

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*To provide quality, affordable housing, that promotes quality of life through a healthy community.*

## **TENANT SELECTION PLAN For Oak Park 2**

The owner of Oak Park 2 Community Apartments is Oak Park 2 L.P. The owner, Oak Park 2 L.P. has appointed the Housing Authority of the City of Paso Robles (PRHA) as Property Manager.

Oak Park 2 Community Apartments is comprised of seventy (70) 1, 2, 3 & 4 bedroom apartments. Oak Park 2 Apartments is a mixed finance property (L.I.H.T.C., Project Based Section 8 Vouchers, and HOME) targeted to households at 60% and lower of Area Median Income.

Oak Park 2 Community Apartments provides housing and services for low and very low income households, without regard to race, age, color, sex, creed, religion, national origin, physical or mental disability status, familial status, ancestry, marital status, source of income, sexual orientation, and/or other arbitrary personal characteristics.

Oak Park 2 Community Apartments is an Equal Housing and Opportunity facility, admitting people in accordance with Local, State and Federal Fair housing laws, and the Affirmative Fair Housing Marketing Plan (AFHMP) form HUD-935.2A.

### **INCOME LIMITS AND TENANT ELIGIBILITY**

Program eligibility determines whether applicants are eligible to reside in the specific property to which they have applied. Current income limits are attached and will be posted in the management office. Households' total annual income cannot exceed the maximum income limits for their household size.

A Households' rent-to-income ratio (R/I) should not exceed 40%. In very rare instances, a higher ratio may be acceptable; i.e., the applicant has additional benefits, such as food stamps, or other non-taxable income. The applicants' debt load must also be factored in to determine one's ability to consistently pay the rent.

There are some exceptions:

- If the household holds a Section 8 voucher or has some other form of long term housing assistance that will reduce their R/I to less than 40%, then they are exempted from this requirement.
- When a households' income is derived from both taxable and non-taxable sources; and/or they have a rental payment history that demonstrates their

ability to pay more than the 40% of their income towards rent and other debt load is low enough that there is sufficient disposable income to permit the higher rent to income ratio.

## **APPLICATION PROCEDURES**

All interested persons are encouraged to complete an Application.

Applications will be available in the office during normal business hours or by requesting an application by telephone, via the internet at [www.pasoroblesha.org](http://www.pasoroblesha.org), or in writing. If an applicant is planning to use their Section 8 voucher or utilize the Project Based Voucher (PBV) assistance program, they need to apply directly to the Housing Authority of San Luis Obispo (HASLO) on their website at [www.HASLO.org](http://www.HASLO.org). The PBV waiting list is maintained separate from the Oak Park 2 waiting list.

Interested persons must complete an Application and be willing to submit to credit history, rental history, criminal background inquiry, as well as income and asset verifications. When vacancies exist, signed and dated applications will be processed on a first come, first served basis unless there is specific preference requirement that needs to be fulfilled. All complete applications will be placed on the waiting list as they are received. The application must be completed and signed by the head of household and all household members 18 years of age and older before an application can be considered complete. If an application is not complete, the applicant will have 10 days after notification to provide the requested information. The date of it being fully completed will be the date that the application is considered accepted for rental and waitlist purposes.

## **SCREENING FEES**

Each adult applicant is required to pay a screening fee which covers the cost of the credit and criminal background check. The screening will expire in 120 days. If a screening has been paid and completed for an applicant in the past 120 days, no additional screening fee is required. An additional screening fee will be required if screening is older than 120 days provided the applicant wants to proceed with the application.

## **PREFERENCES**

A preference does not guarantee admission. Every applicant must still meet the Property's Tenant Selection Plan standards for acceptance as a resident.

Where preferences apply, applicants with a verified preference (i.e. Relocation priority, accessible unit) will be moved to the top of the waiting list above persons without a preference. Preferences are property specific and dependent on the needs of the community. Applicants should inquire with PRHA on any specific preferences that may apply for Oak Park 2, L.P.

**Relocation Preference:** A preference will be given to those families that are subject to being temporarily displaced from their apartments living on the original Oak Park Community while their apartment is demolished and replaced with newly constructed apartments.

## STUDENT STATUS

Student status and eligibility for housing must be determined at Move-In, Annual Recertification, and at any time during tenancy that a household member is enrolled or becomes enrolled as a student.

## IN-HOUSE UNIT TRANSFERS

An in-house unit transfer list is maintained for those residents who have been approved for transfer within the property. Residents on the unit transfer list may have priority over other applicants on the waiting list. Transfers may be granted because:

- 1) Of changes in family size;
- 2) Of changes in family compositions;
- 3) A deeper subsidy is needed and available;
- 4) Of medical reasons certified by medical doctors, and there's a need for an accessible unit.

Transfers may be required when:

- 1) The unit becomes overcrowded or underutilized;
- 2) There is a current tenant or qualified applicant with a household member requiring accessibility features of the unit;
- 3) The health and safety of the tenant and/or others is at risk.

## OCCUPANCY STANDARDS

Occupancy standards are the criteria established for matching household with the most appropriate size and type of apartment. "Two plus one" occupancy guidelines will be followed to avoid under or over utilization of the units as follows:

Bedroom Size	Household Minimum	Household Maximum
1	1	2
2	2	5
3	3	7
4	4	8

To determine the proper bedroom size for which a household may qualify, the following household members are to be included:

1. All full-time members of the household;
2. Live in attendants;
3. Foster children;
4. Unborn children of pregnant women;
5. Children temporarily absent due to placement in a foster home;
6. Children in the process of being adopted;
7. Children who are away at school but live with the family during school recesses;
8. Children who are subject to a joint custody agreement but live in the unit at least 50% of the time;
9. Temporarily absent family members still considered family members;
10. Family members in hospital or rehabilitation facility for periods of limited or fixed duration.

## **GROUNDINGS FOR DENIAL**

1. Applicant may be denied due to inappropriate behavior anytime during the eligibility process.
2. Total household income exceeds the applicable income limits for the property.
3. Inappropriate household size for the apartment available.
4. Failure to provide adequate verification of income, or we are unable to adequately verify income and income sources.
5. Providing or submitting false or untrue information on your application.
6. Failure to cooperate in any way with the verification process.
7. Negative landlord references.
8. Evictions (unlawful detainers) reported in the last five (5) years.
9. Any amount showing owed to a landlord or property management company.
10. History of late payment of rent that demonstrates more than 3 late payments of rent in a six-month period for the past two years. More than two Non-Sufficient Funds Check (NSF) in a one-year period. If late payments, non-payment or eviction is due to extenuating circumstances such as illness or loss of a job, documentation will be required and the case shall be reviewed on an individual basis.
11. Any evidence of illegal activity including but not limited to drugs, gangs, etc.
12. Apartment assignment will NOT be the households' sole place of residency.
13. If an approved applicant is not able to pay in full the security deposit at move-in, the applicant will be required to sign a payment plan. The plan will require that the security deposit be divided into no more than four equal installments over a four month time frame. Refusal to sign the payment plan will be grounds for denial.
14. Unfavorable Credit History. *(see section Denial for Unacceptable Credit)*
15. Unfavorable Criminal Background. *(see section Denial Based on Criminal Background)*

## **DENIAL FOR UNACCEPTABLE CREDIT**

- Total amount of collections reported in the last sixty (60) months, exceeds \$2,500.00 (Two-thousand five-hundred dollars and zero cents).
- Traditional trade line credit behavior is more than 50% derogatory. An item is considered derogatory when it is reported as more than 60 days late.

The following are also considered a derogatory:

- Repossession
- Default on loan
- Unpaid judgment
- Unpaid utilities
- Unpaid child support
- Write offs

Any of the following will result in an automatic denial:

- Unlawful detainer/eviction within the past five (5) years.
- Bankruptcies reported as filings.
- Any amount showing owed to a landlord or property management company.
- Any federal, state, local, tax, water, sewer, etc. liens

Negative credit is not concerned with:

- Foreclosures
- Bankruptcies that are reported as dismissed or discharged.
- Medical debts
- Student loans

Minimum of three month proof of enrollment in a reputable credit counseling agency before application processing shall override negative credit.

### **DENIAL BASED ON CRIMINAL BACKGROUND SCREENING**

All applicants and household members, except minors 17 or younger, will be fingerprinted and screened for criminal history. A history of any of the following by any household member is cause for rejection of an application for housing:

#### **Full Disqualification:**

**Any** conviction or adjudication other than an acquittal of:

- First-degree murder,
- Sex offenses, including but not limited to forcible rape, child molestation, and aggravated sexual battery,
- Arson
- Crimes involving explosives

**Within 10 years** from the date of application any conviction or adjudication other than acquittal of:

- A felony that involved bodily harm against a person or property, including but not exclusive of:
  - Homicide (other than first-degree murder),
  - Manslaughter,
  - Armed robbery,
  - Aggravated Assault,
  - Buying, receiving, or possession of stolen property,
  - Burglary or theft, (*\$1,000 or less will consider*)
  - Auto theft,
  - Embezzlement,
  - Sales, or manufacture of a controlled substance,
  - Any crime of violence that may establish that the applicant constitutes a direct threat to the health or safety of other individuals.

**Within 5 years** from the date of application any conviction or adjudication other than acquittal of:

- A crime involving the illegal use of a controlled substance other than sales or manufacture,
- Illegal gambling,
- Prostitution,
- Commercialized vice,
- Stalking,
- Forgery,
- Weapons offenses.

**Within 3 years** from the date of application any conviction or adjudication other than acquittal of:

- Any other felony, not included above
- Within 3 years prior from the date of the application, the applicant or any household member has been imprisoned after being convicted of a felony.

*Note: To be admitted with a drug criminal history, the household member must submit proof of completion of a supervised drug rehabilitation program, and that the applicant has been sober for at least one year.*

### **GRIEVANCE/APPEAL PROCESS**

Should the applicants fail to meet the screening criteria, they will receive a Notice of Denial in writing indicating that they have the right to appeal the decision. The applicant will have the right to respond to the owner in writing or request a meeting within 14-days to dispute the denial.

An appeal meeting with the Executive Director or the Director of Property Management, or someone who was not involved in the initial decision to deny admission or assistance, will be held within 10 business days of receipt of the applicant's request.

Within five days of the appeal meeting, the Executive Director or Director of Property Management will advise the applicant in writing of the final decision regarding eligibility. Apartments will not be held for those applicants in the appeal process.

### **WITHDRAWAL OF AN APPLICATION**

At any time an applicant can choose to have his or her application removed from the waiting list. Applicant must contact the PRHA office by phone, email, mail, or in person and the date, time, and reason will be documented in the file. At that time a letter will be sent by first class mail verifying your request. If you have changed your mind or we have misunderstood your intentions you will have five (5) days, from the date of the letter, to contact us to keep your application active on our waiting list.

Management may withdraw your application if:

1. You fail to respond to letters sent to you regarding your application; and if after three (3) attempts we are unable to reach you by telephone; and/or
2. You have failed to keep an interview appointment and have not informed us; and/or
3. After declining the offer to the next available unit.

At this time a letter will be sent by first class mail informing you of our decision. You will have five (5) days, from the date of the letter, to contact us if we have misunderstood your intentions.

### **ADMINISTRATION OF WAITING LIST**

The property is required to maintain a Waiting List of all eligible applicants. Applicants must be placed on the Waiting List and selected from the Waiting List even in situations where there are vacancies and the application is processed upon receipt. This procedure is necessary to assure the complete and accurate processing of all documentation for all applicants.

Each property has one waiting list that is established and maintained in chronological order based on the date and time of receipt of the Application. The Waiting List contains the following information for each applicant:

1. Address and Contact Information
2. Phone number(s)
3. Apartment Type/Size requested
4. Number of household members

5. Income (AMI meets program targets)
6. Race & Ethnicity Codes
7. Preference/Accessibility
8. Eligibility for project based assistance, when applicable

Applicants must report changes to any of the information immediately.

### **PURGING THE WAITING LIST**

The Waiting List will be purged periodically. Applicants will receive letters from the property that will request updated information and ask about their continued interest. This letter must be responded to by the due date stated in the letter. Failure to respond by the due date stated in the letter will be grounds for removal from the Waiting List.

### **AVAILABILITY OF TENANT SELECTION PLAN**

The Tenant Selection Plan shall be posted in a conspicuous place at the site. Changes to the Plan will be sent via U.S. mail to all persons on the active Waiting List.

### **ANNUAL/INTERIM RECERTIFICATION REQUIREMENTS**

All residents must cooperate with an income re-certification on an annual basis. Income certification is a requirement of occupancy and all residents must promptly provide any certifications and income verifications required by the Lessor to permit determination of eligibility. Knowing or willful misrepresentation by the resident and/or applicant of the facts upon which rent or eligibility determinations are based may subject the Tenant to termination of tenancy and/or repayment of benefits to which not entitled and/or fines.

### **PETS**

A Pet Policy agreement must be signed along with a Pet Deposit being made to the property. Service animals are not considered pets, but are still subject to the rules of the Pet Policy.

### **NO SMOKING**

Oak Park 2 has a No Smoking policy.

### **REASONABLE ACCOMMODATIONS**

A person with a disability may request a reasonable accommodation at any time during the application process. All reasonable accommodation requests are determined on a case-by-case basis and reasonableness of the request. All applicants requesting reasonable accommodations must still meet the Tenant Selection Plan and if denied, go through the appeal process.

*Oak Park 2 Community Apartments is professionally managed by the  
Paso Robles Housing Authority.*