



# Henson Village

## OCCUPANCY AND PROGRAM GUIDELINES

WELCOME TO OUR EXCITING NEW COMMUNITY. WE HAVE MANY FLOOR PLANS AND PRICE RANGES TO MEET YOUR NEEDS. ALL APPLICANTS AND ALL ADULT MEMBERS OF THEIR HOUSEHOLDS WILL UNDERGO A BACKGROUND CHECK BEFORE ANY APPLICANT IS ACCEPTED TO RENT HERE. THE SCREENING CRITERIA WE WILL USE IS DESCRIBED BELOW.

FOR ALL APARTMENTS OUR CRITERIA LIMITS OCCUPANCY TO TWO-PEOPLE-PER-BEDROOM, SO KEEP THIS IN MIND AS YOU VIEW THE APARTMENTS.

WHETHER AN APPLICANT QUALIFIES TO RENT HERE DEPENDS ON WHETHER THE APPLICANT AND HIS/HER HOUSEHOLD MEMBERS MEET OUR SCREENING CRITERIA. IF YOU ARE INTERESTED IN OUR AFFORDABLE ALTERNATES PLEASE REVIEW THE SCREENING CRITERIA AND THE INCOME AND ELIGIBILITY REQUIREMENTS TO SEE IF YOU MEET THE PROGRAM GUIDELINES.

### A. Screening Criteria

Management screens Applicants and members of their household to ensure that future residents will not adversely affect the health, welfare or safety of other residents and will not adversely affect the physical environment and financial stability of the Property. Before accepting any Applicant Management will evaluate objective and reasonable aspects of an Applicant's and household member's background and will reject those Applicants who are considered ineligible to live at the property because of adverse credit reports, criminal background information, negative tenancy references and/or other criteria that make them ineligible to live at property.

Specifically management will evaluate each of the following criteria in determining whether an Applicant and/or household member qualifies to live at property. While there are instances where a single criterion may disqualify an Applicant, as a general rule management will evaluate the results of the background information as a whole and will make its determination based on the overall qualifications of the Applicant, including members of Applicant's household.

#### 1. Financial and Credit History.

An Applicant's past performance in meeting financial obligations, especially rent, will be considered in determining if there is an unreasonable risk that any Applicant will not fulfill his/her rent obligations. Factors to be considered are as follows:

- (i) Consistent record of timely rent payment during the last two (2) years.
- (ii) No Applicant will be approved if he/she owes a balance for unpaid rent, damages, or other fees/costs to any assisted housing, including but not limited to Section 8 voucher housing, public housing, LIHTC housing or other federally assisted program.
- (iii) Consistent record of payment of utilities. Negative factors include history of utility disconnection, failure to have deposit returned, and inability to have utilities connected in Applicant's name.
- (iv) Combined material consumer debt may not exceed \$3500 (per adult) reported delinquent within six (6) months of date of application or written off within one year of date of application. In evaluating each Applicant's and household member's material consumer debt, management will exclude (a) medical bills; and (b) student loans.
- (v) Applicants who fail to meet (iv) above are presumptively disqualified from renting at property.
- (vi) Any Applicant that fails to meet the financial criteria set forth in (iv) above, may provide documentation explaining any mitigating circumstances for the excessive consumer debt. If the Applicant is then determined to be qualified, Applicant will be required to pay an additional deposit amounting to 1.5 times the current refundable deposit.
- (vii) If combined material debt exceeds \$3500 (per adult) and that debt includes debt due to home foreclosure or home repossession, Applicant must show mitigating circumstances such as loss of employment or other good cause.

- (viii) Any Applicant who has filed for bankruptcy will not be approved until Applicant can demonstrate that bankruptcy has been discharged.
- (ix) All Applicants for LIHTC and Market Rate rentals must demonstrate that they have an income of no less than 1.5 times the monthly rent.
- (x) Section 8 voucher holders must demonstrate an income of no less than \$2000.00 per person per year.

## 2. Criminal Record.

- (i) Any Applicant or household member who has a record of conviction for one or more of the criminal activities identified in paragraph (iii) below, will be presumptively denied housing.
- (ii) For purposes of determining whether any Applicant or household member will be denied based on this criterion, the period of the individual's probation, parole and/or incarceration are added to the date of the offense.
- (iii) Criminal activity that warrants presumptive exclusion includes the following:
  - (a) conviction for manufacturing drugs within the last ten (10) years;
  - (b) conviction for distribution of drugs within the last ten (10) years;
  - (c) conviction for possession of drugs within the last five (5) years;
  - (d) conviction for a crime against a person within the last ten (10) years;
  - (e) conviction for a crime against property within the last ten (10) years;
  - (f) conviction for carrying a concealed weapon within the last ten (10) years;
  - (g) any conviction at any time for murder, attempted murder, rape, attempted rape, manufacturing methamphetamines, or assault on a law enforcement officer.
- (iv) In addition to the criminal activity identified in paragraph (iii) above, management may deny housing to any persons whose history or pattern of past criminal activity, including alcohol abuse, is considered to pose a risk to the health, welfare or safety of any person, or to the physical environment.
- (v) No Applicant will be approved if that Applicant or any household member is subject to a sex offender lifetime registration requirement for any state.
- (vi) Prior to move-in, every head of household must sign a declaration that all family members under age 18 years old have not been convicted of a crime classifying them as an adult. If this declaration cannot be made as to any minor, the head of household must consent to the release of information from the police department for the purpose of verifying whether any minor was convicted of a crime for which the minor was classified as an adult. If the consent of the head of household is not sufficient to obtain this information from the police department, the parent or guardian of the minor must obtain and submit information concerning such criminal activity to management if it is reasonably possible to do so. The burden of demonstrating that it is not reasonably possible is on the person who makes that assertion.
- (vii) Any Applicant or household member who has been evicted from federally assisted housing because of drug-related criminal activity or current drug use will be excluded for a period of not less than two (2) years. Proof of a conviction for such criminal activity is not required.

## 3. Rental History.

- (i) No Applicant should have a negative rental history during the last two (2) years.
- (ii) For purposes of paragraph (i) management will consider the following factors:
  - (a) Was the Applicant or any household member evicted from his/her residence within the last two (2) years?
  - (b) Did the Applicant or any household member vacate a residence within the last two (2) years after being advised that he/she was going to be evicted?
  - (c) Does Applicant or any household member owe money to a prior landlord for unpaid rent, breach of the Lease Agreement or damages to the unit?
  - (d) Does Applicant or any household member have a record of disturbance of neighbors, destruction of property or poor housekeeping habits that may adversely affect the health, safety or welfare of other tenants?
  - (e) Does Applicant or any household member have a history of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others, including but not limited to convictions for DUI and other alcohol-related crimes?
  - (f) Did Applicant or any household member cause damage to a current or previous residence and if so, what was the cost of repair?
  - (g) Did Applicant's or any household member's housekeeping habits result in any insect or rodent infestation?
  - (h) Would a prior landlord decline to re-rent to Applicant or other adult household member?
- (iii) Management will not rent to any Applicant if he/she or any household member has a record of having committed fraud in connection with any Federal housing assistance program, including but not limited to the intentional misrepresentation of information relating to their housing application, income, preference for housing benefits, allowances, family composition rent or benefits derived there from.

#### 4. Student Status.

- (i) A household, which consists entirely of full-time students<sup>1</sup>, not one of whom is entitled to file a joint federal income tax return, is not eligible to occupy an apartment.
- (ii) Exemptions. Paragraph (i) does not disqualify the following categories of persons:
  - (a) An individual who is a student and receiving assistance under Title IV of the Social Security Act, OR enrolled in a job training program receiving assistance under the Job Training Partnership Act or an equivalent federal, state or local law; and
  - (b) A household occupied entirely by full-time students if those students are single parents and their children are not dependents of any other person OR married and filing a joint federal income tax return subject to the Tax Credit Regulatory Agreement.
- (iii) Any person who claims an exemption from paragraph (i) must provide evidence to management at the time of application demonstrating his/her exemption under paragraph (ii).

#### 5. Medical Marijuana

Because this property consists of federally assisted housing units, no person may possess, use, or grow medical marijuana. HUD prohibits federally assisted properties from renting to any person who is a medical marijuana user.

#### B. Mitigating Circumstances

In all instances where unfavorable information would cause any Applicant and/or household member to be disqualified based on any criterion set forth in paragraph A, management will make reasonable efforts to obtain mitigating information as to why the Applicant and/or household member should be permitted to rent at property, notwithstanding his/her presumptive disqualification.

Any Applicant who believes that his/her mitigating information should be considered must provide management with the source and nature of the mitigating information.

Sources of mitigating information may include, but are not limited to (by means of interview), landlords, employers, family social workers, parole officers, court records, drug treatment centers, clinics, physicians or police departments where warranted by particular circumstances and as allowable by law.

Consideration will be given to the time, nature, and extent of the applicant's or household member's conduct (including any reasonable explanation therefore) and to factors that might indicate a reasonable probability of favorable future conduct or financial prospects.

Other mitigating factors to be considered include the following:

- (i) Negative credit information can be mitigated through third party verification, including but not limited to a creditor, of each item that (i) there has been a payment plan and a timely payment history on such plan for the period during which such plan has been in effect (but not less than sixty (60) days); or (ii) the applicant has disputed such debt and can provide verification of such dispute.
- (ii) Record of unsuitable rental history or behavior can be mitigated if applicant can show evidence of rehabilitation or participation in rehabilitation. If the evidence relates to a change in medical condition, management shall have the right to request further information or refer such information to persons qualified to evaluate such evidence.
- (iii) Evidence of completion of rehabilitation or verification of current rehabilitation to mitigate history of drug or alcohol abuse by one or more family members;
- (d) Applicant's completion or household member's completion of a counseling and orientation program, conducted by the Agent and City sanctioned program, with respect to a applicant's responsibility relating to the lease, the rules and regulations and other policies regarding management of the Property; and
- (e) Evidence by applicant and household members of willingness to attempt to increase family income, taking into account the availability of training or employment programs in their locality.

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<sup>1</sup>As defined in Section 151(c)(4) of the IRC

- (f) In situations involving home foreclosure, evidence that the foreclosure did not occur because of any affirmative conduct by Applicant or household member, including a decision not to pay mortgage or other monies owed.
- (g) In situations involving bankruptcy, evidence that a court has discharged the bankruptcy debts.

C. PROGRAM GUIDELINES

- 1. INCOME
- 2. FAMILY SIZE
- 3. STUDENT STATUS

- 1. Income
- 2. Family Size

APARTMENT SIZE                      HOUSEHOLD SIZE                      MAXIMUM INCOME (AT 60%  
(2 PER BEDROOM MAXIMUM) OF AREA MEDIAN INCOME)<sup>2</sup>

1 BEDROOM APT.	1 PERSON	\$28,020
	2 PERSON	\$31,980
2 BEDROOM APT.	2 PERSON	\$31,980
	3 PERSON	\$36,000
	4 PERSON	\$39,960
3 BEDROOM APT.	3 PERSON	\$36,000
	4 PERSON	\$39,960
	5 PERSON	\$43,200
	6 PERSON	\$46,380



<sup>2</sup> New Income limits are published annually by HUD generally in February.