

Elderly Opportunity Agency, Inc. Emmett, Idaho Operating Policy and Procedure		
Policy #	Subject	Effective Date
1	EOA Tenant Selection Policy	June 26, 2017
Approved by: EOA Executive Committee		Date: 6/26/2017

I. Purpose:

The tenant selection policies and procedures assures financial viability of the property through on time payment of rents and/or through decreased expenses from damages to the units or common areas. Additionally, it assures other residents quality of life will not be impaired by poor tenant behavior. Such tenants can create a very negative image for the property making it difficult to attract residents who will abide by the rules of occupancy.

II. Policy:

Elderly Opportunity Agency, Inc. (EOA) will comply with all federal, state and local fair housing and civil rights laws and with all equal opportunity requirements as required by law and HUD and USDA RD regulations.

Equal Housing Opportunity: EOA does business in accordance with the federal fair housing law (the Fair Housing Amendments Act of 1988). It is illegal to discriminate against any person because of race, color, religion, sex, handicap, familial status, or national origin.

Fair Housing: 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. The Fair Housing Act prohibits discrimination in housing and housing related transaction based on race, color, religion, national origin, sex, disability and familial status. It applies to housing regardless of the presence of federal financial assistance. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in in any program or activity receiving federal financial assistance from HUD.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington,



Reasonable Accommodation: EOA will make reasonable accommodations in policies, procedures, services and facilities, if necessary, to afford a person with disabilities equal opportunity to use and enjoy a dwelling unit or the common areas and facilities of the property. This applies to all aspects of tenant relations.

Limited English Proficiency: A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance. EOA will in accordance with federal guidelines make reasonable efforts to provide or arrange for free language assistance for LEP applicants, tenants and person of the general public.

Project Eligibility Requirements: EOA projects are designated for Elderly and/or Disabled households, the households are defined as: Elderly is a family whose head of household, co-head or spouse must be sixty –two (62) years of age or older. Disabled is a family whose head, spouse or sole member is a person with disabilities, and it may include two or more person with disabilities living together or one or more persons with disabilities living with one or more live-in aides. EOA will comply with the Equal Access Rule to ensure that our housing program is open to all eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

Income Limits: Applicant's household annual income must not exceed the income guidelines for the county in which the facility is located as set forth by HUD/USDA RD.

An applicant must agree to pay the rent required by the program under which the applicant will receive assistance. The applicant is eligible for assistance only if the unit will be the family's only residence. Tenants must not receive assistance for two units at the same time.

All members of the applicant household 18 years or older must sign an Authorization for Release of Information form prior to receiving assistance and annually thereafter. All members of the applicant household 18 years or older must sign individual verification forms authorizing the owner to verify family income and other applicable eligibility factors.

All information reported by the household is subject to verification.

Social Security Number Requirements: As of January 31, 2010, all household members must disclose and document Social Security numbers for all members including children age six (6) and older. Live-in Aides and foster children are also subject to the SSN requirements.

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The only exceptions to this requirement are for tenants age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun prior to January 31, 2010, and individuals who have not claimed eligible immigration status. The exemption for person 62 and older does not apply to new applicants coming into the property unless they were already receiving federal Housing assistance somewhere else on January 31, 2010.

Citizenship Requirements: By law, only U.S. citizens and eligible non-citizens may benefit from federal rental assistance. The Household must meet citizenship or immigration status requirements as follows and submit applicable documentation:

1. A household shall not be eligible for assistance unless every member of the household residing in the unit is determined to have eligible status, with the following exceptions: a mixed family is one whose members include citizens and eligible immigrants, non-citizens without eligible immigration status may be eligible for prorated assistance, continued assistance or a temporary deferral of termination of assistance.
2. Applicants must submit documentation required by HUD/USDA RD at the time the application is submitted. Management will provide a list of acceptable documents to the applicant to verify citizenship or immigration status.

Once the application is received, management will verify documentation provided by non-citizens utilizing the Systematic Alien Verification for Entitlements (SAVE) program. During this verification period, the applicant will be placed on the waiting list and if eligible immigration status cannot be verified, management will inform the applicant and remove them from the waiting list.

Application Process: The units in EOA’s housing projects will be rented and occupancy maintained on a first-come, first served basis. Each applicant must complete a written application and supply all the required documentation. The application must be dated and signed by the prospective adult household members. All questions must be answered truthfully and/or if any relevant information is omitted, it is grounds to deny the application.

The application shall be time stamped and dated when received by the Housing Manager. The Housing Manager shall maintain a waiting list in chronological order of all applicants. Applicants may be included on one or more waiting list, depending on the need of the household.

Existing tenants requiring unit transfers because of a reasonable accommodation will move ahead of the chronological status applicants. Applicants shall be offered housing, after meeting all selection criteria requirements including the

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verification process, placed on the waiting list or declined. Applicants who have met the tenant selection criteria and for whom the right size unit is not available will be placed on the waiting list and contacted when an appropriate unit becomes available.

Applicants are selected from the waiting list in chronological order based on the date and time of their applications and income limits as follows:

- Very low income limits.
- Low income limits
- Moderate-income limits

III. Procedure:

Application: Applications are provided upon request in the following methods:

- Mail service
- Email
- Facsimile
- Downloaded and printed off at the EOA website at eoaidaho.com.
- Can be obtained at the EOA Central Office
- Can be obtained at the EOA Site Office

Applications may be returned to EOA Housing Staff in the following methods:

- Mailed to the EOA Central office or site office
- Submitted to the Housing Manager and/or Site Manager
- Emailed to the Housing Manager and/or Site Manager
- Faxed to the Housing Manager and/or Site Manager

Applications will not be considered without receipt of the application filing fee for the required background check for all individuals noted on the applications over the age of 18 years.

SCREENING CRITERIA: All screening criteria will apply to all applicants in a non-discriminatory fashion and in accordance with all applicable Fair Housing and Civil Rights Laws. The following factors will be considered in screening an applicant for occupancy:

1. Ability to pay rent and other housing obligations on time.
2. History as a good tenant
3. Credit history

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4. Ability to maintain or with assistance would have the ability to maintain the housing unit in a decent and safe condition based on living or housekeeping habits; and whether such habits adversely affect the health, safety or welfare of the household and or other residents in the project
5. Refrain from interfering with the rights and quiet enjoyment of other residents.
6. Current use or history of using illegal drugs or current use or history of abusing alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of others.
7. History of felony or misdemeanor convictions by any household member involving crimes of physical violence against persons or property, fraud, dishonesty and any other criminal activity including but not limited to Drug-Related Criminal Activity.
8. Any household member, including a Live-In Aide, who has been evicted from assisted housing within three (3) years as a result of Drug-Related Criminal Activity.
9. Any household member has Registered Sex Offender status.
10. Income Limit qualification
11. Live-in Aides will be screened for drug abuse and criminal activity and must sign required release forms.

Management will require consent of all adult household members and Live-In Aides for verification of references and permission to obtain a criminal background history.

Landlord References will be required for up to two (2) years, including the present landlord. Applicants, who have no previous rental or homeownership history, must provide references from present and former professional contacts. Unfavorable landlord or professional references may result in removal from the waiting list.

Credit history/reports will be obtained on each applicant. The credit report will be reviewed to determine the Applicant's history of meeting financial obligations including payments for rent, utilities, loans, revolving credit cards and other obligations. Applicant's credit must be acceptable to management before they will be approved to occupy a unit. The credit report will be reviewed to confirm current address, confirm credit sources included on the application, confirm current and past employment listed on the application and to determine whether the applicant has an acceptable credit history.

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Applicants whose credit histories are unacceptable will be declined and removed from the waiting list. An unacceptable credit history is one that reflects

- consistent, past due payment of more than 90 days;
- a history of repeated insufficient fund checks;
- derogatory credit that includes but not limited to repossessions, foreclosures, judgments, collections, charge-offs, liens, bankruptcy not yet discharged, delinquent or charge off debt due other apartment communities;
- Or unpaid utility company collections which would prohibit applicant from obtaining services.

The lack of credit history or past due payments or poor credit pertaining to medical expenses or student loans will not be considered as grounds for declining an applicant.

Consideration will be given when current credit history demonstrates a pattern of improvement or the applicant can demonstrate acceptable reasons for credit history. Applicants may provide an explanation of efforts to correct credit deficiencies through payment plans or solutions. If the method of improvement is acceptable to management, further screening may be conducted and written confirmation of payment plans may be required from the creditor.

If the applicant is declined for unacceptable credit, they will have fourteen (14) days to provide an explanation and request further consideration. Management will provide the name and contact information for the credit screening reporting agency upon request. It is the Applicant’s responsibility to contact the credit reporting agency to resolve any items that have been mistakenly reported.

Screening for Drug Abuse and Other Criminal Activity: Obtain criminal background check for each applicant and household members 18 years or older. An applicant may be denied and removed from the waiting list if the applicant or a household member has a criminal history that includes drug-related crimes, violent criminal activity or serious misdemeanors.

Consideration may be given to applicants with past nonviolent criminal records occurring seven (7) or more years in the past with no further criminal record. If an applicant has resided in a state other than Idaho and has a past felony conviction, a report will be required from that local, state or federal organization.

EOA will consider mitigating circumstances, including, but not limited to

- 1) the seriousness of the criminal activity;
- 2) the length of time since the offense;

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- 3) the age of the household member at the time of the offense;
- 4) evidence of rehabilitation efforts;
- 5) the pattern and number of criminal activities;
- 6) evidence of positive tenant history since the crime;
- 7) the relationship between the criminal activity and the safety and security of the residents, EOA staff, or property.

Applicants will be required to certify that they or members of the household are not Registered Sex Offenders. **Registered Sex Offenders will not be admitted to the project.**

Applications may be denied if:

- 1. Any applicant or member of the household who has been convicted of the manufacture or distribution of a controlled substance will not be admitted to the project as per HUD regulations. Exceptions may be considered if the evicted household member has successfully completed an approved, supervised drug rehabilitation program; or the circumstances leading to the eviction no longer exist (e.g. the household member no longer resides with the applicant household).
- 2. A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member(s) illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents;
- 3. Any household member who is subject to a state sex offender lifetime registration requirement; and any household member if there is a 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 residents.

Violence Against Women and Justice Department Reauthorization Act of 2005: In accordance with the Act, admission to the apartment community will not be denied on the basis that the Applicant is or has been a victim of domestic violence, dating violence or stalking if Applicant otherwise qualifies for admission. Applicant may request protection under the Act by completing the Certification of Domestic Violence, Dating Violence or Stalking (HUD form 50066) and Management will verify the certification as allowed by the Act.

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IV. Appeal:

If your application has been denied and you feel that you qualify as a resident under the criteria outlined above, you may appeal the decision in writing within 10 calendar days to the EOA Executive Director and/or Housing Manager:

Elderly Opportunity Agency, Inc.
 134 N. Washington Ave.
 Emmett, ID. 83617
 (208) 365-4461 or 1-800-273-4462

Within the appeal request letter explain the reasons you believe your application should be approved and request a review of your file. Within 7 working days of receipt, your application will be reviewed, and you will be notified of the outcome of the review. Further appeal of the rejection will follow the guidelines contained in 7CFR 3560.160 Tenant Grievance Procedures

FORMS TO USE

EOA Housing Application

Orca Information, Inc.

Landlord Reference

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