PRESENTERS

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Catalyst Training Schedule

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WEBINAR LOGISTICS

- Participants are muted
- Enter your questions in the box in your webinar panel
- Forgot to ask a question or want to ask privately? Email me at rosado@flhousing.org
- This webinar is being recorded and will be available at www.flhousing.org
- A survey will immediately follow the webinar; please complete it! Thanks!
AGENDA

• Definitions
• Property Management Plan
• Leasing Requirements
• Screening In and Eligibility
• Low Barrier Workgroup
DEFINITIONS

• Affordable housing: Multifamily properties which target households with incomes below area median income (AMI)

Income categories (generally):
• Low Income: 80% AMI
• Very Low Income: 50% AMI
• Extremely Low Income: 30% AMI
PROPERTY MANAGEMENT PLAN
Plan Components

- Management Procedures
- Leasing Requirements
- Tenant Selection Plan
- Operations
- Unit Turnaround
- Copy of Forms
TENANT SELECTION PLAN
TENANT SELECTION PLAN

Screening criteria should only be based on the management plan.
These recommendations are not substitutions for actual requirements from your project’s funding.

Check your sources to ensure your tenant selection plan includes all required elements.
**WRITTEN POLICIES**

- Households served by project (e.g. elderly, disabled, families)
- Income limits
- Preferences and how those are documented (e.g. homeless)
- Definitions based on population project is serving
- Application Process
- Waiting List Management
- Screening Criteria
- Occupancy Standards
WRITTEN POLICIES CTD.

- Fair Housing Act
- Section 504
  - Address Reasonable Accommodations
  - Pet Policy
- Advertising/Marketing Plan
- Student Status
- VAWA
- Changes to Tenant Selection Plan
HUD’s Equal Access Rule

- Disabled family: a family whose head (including co-head), spouse, or sole member is a person with a disability. It may include two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides.

- Elderly family: a family whose head (including co-head), spouse, or sole member is a person who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who are at least 62 years of age living with one or more live-in aides.
FAMILY DEFINITION

Family includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

• (1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or

• (2) A group of persons residing together, and such group includes, but is not limited to: (i) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family); (ii) An elderly family; (iii) A near-elderly family; (iv) A disabled family; (v) A displaced family; and (vi) The remaining member of a tenant family.
DEFINITIONS
DIFFER BY
FUNDING SOURCE

Community Development Block Grant
HOPWA
Public Housing/Housing Choice Voucher
Supportive Housing
COMMON SCREENING CRITERIA
COMMON CRITERIA

- Credit Check
- Landlord References (Rental History)
- Criminal Background
  - Drug Related Crimes
  - Violent Activity
  - Sex Offender Registry
- Minimum Income Criteria
DENYING A TENANT

- Explanation of the exact reason the household was found ineligible
  - Criminal Background
  - Rental History
  - Failure to complete necessary forms
  - Occupancy Standards
- Written policy on how the household can appeal
BEST PRACTICES
**BEST PRACTICES**

- Review TSP annually
- Attach basic screening criteria to application (not whole TSP)
- Make available on website
- Have copies available in the office
- Tenant Handbook
AFFORDABLE HOUSING WORKGROUP
LOW BARRIER WORKGROUP

• Help FHFC develop low barrier entry standards and requirements for future RFAs
• Comprised of experts in affordable housing development, property ownership and management, supportive housing, fair housing, and advocacy for homeless households or persons with special needs
• Developed the following recommendations
• Owners must maintain written Tenant Selection Criteria following FHFC requirements pursuant to the RFA
• Criteria and approach of screening applicant must be in household’s file
• A description of reasonable accommodations or reasonable modifications for persons with disabilities (504)

• Violence Against Women Reauthorization Act of 2013 (VAWA)

• Approach regarding a household’s notification and appeal process and timeline, if the application is rejected or ineligible
A fee of no more than $35 may be charged to each adult in an ELI household for processing an application, including conducting credit and background checks.
• A rental deposit for a unit set aside for ELI will be no more than one month’s rent
• Development should offer a payment plan to split the deposit in at least 2 or 3 payments
• A deposit or fee to hold the unit is prohibited regardless of whether the fee is applied toward the security deposit
**INCOME REQUIREMENTS (ALL HOUSEHOLDS)**

- Income requirement must not be more than 2 times the monthly rent
- Rental assistance from federal or state programs should be considered and included in the determination
Credit Record Checks (ELI Households)

Credit history related to medical expenses, cable and internet services may not be taken into consideration.
Developments must adhere to the guidelines “Office of General Counsel Guidance on Application of Fair Housing Standards to the Use of Criminal Records” (HUD, 2016)

-Arrest records alone may not be used as a selection criterion

-Applicant should have option to request an individualized assessment and evidence of mitigating circumstances
When an individualized assessment is conducted, the determination should look at:

• The seriousness of the criminal offense
• The relationship between the offense and safety of residents, staff, and property
• Age of the household at the time of the offense
• Number and nature of other criminal convictions
• Evidence of rehabilitation (recommendations, employment, programs)
• Formal tenancy supports or other risk mitigation services the applicant will receive during tenancy
Developments must establish no more than a 5-year look back period when reviewing evictions

- One eviction will not be disqualified unless it was due to physical harm or intentional property damage
- More than one may be required to pay a deposit no more than 2x monthly rent
- Development should give opportunity for applicant to submit evidence of mitigating circumstances
REJECTED/INELIGIBLE APPLICANTS (ALL HOUSEHOLDS)

- Must be notified in writing (letter or email) to the address provided by the applicant
- Additionally, a telephonic notification should be considered
- Applicants must be provided information on the reason for the denial and/or how ineligibility was determined
- Notification must be provided within 3 business days after the determination is made, and must include information on how to appeal
NEXT WEBINAR

Property Management Series Part 2
February 25th – Sign up at www.flhousing.org
- Tenant Selection Best Practices
- Screening special needs households
- Supportive Housing
- Fair housing policies
THANK YOU