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**Pickaway Metropolitan  
Housing Authority**

**TTY/TDD Customers:**  
Contact Ohio Relay Services  
@711 or 1-800-750-0750



## **WILLIAMSPORT TERRACE TENANT SELECTION PLAN**

**April, 2012**

**April, 2013**

**August 2021**

## MISSION STATEMENT

The Pickaway Metropolitan Housing Authority's (PMHA) Mission is to assist low and moderate income persons with safe, decent, and affordable housing opportunities as they strive to achieve self-sufficiency and to improve the quality of their lives. The PMHA is committed to operating in an efficient, ethical and professional manner and in partnership with clients and community agencies. The agency further strives to eliminate housing discrimination, promote economic opportunity, and achieve diverse, inclusive communities by promoting enforcement and public understanding of federal fair housing policies and laws.

## GENERAL INFORMATION

### Fair Housing

Federal laws require PHAs to treat all applicants and participants equally, providing the same opportunity to access services, regardless of family characteristics and background. Federal law prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, age, familial status, and disability. In addition, HUD regulations provide for additional protections regarding sexual orientation, gender identity, and marital status. The PHA will comply fully with all federal, state, and local nondiscrimination laws, and with rules and regulations governing fair housing and equal opportunity in housing and employment, including:

- Title VI of the Civil Rights Act of 1964
- Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988)
- Executive Orders 11063 and 13988
- Section 504 of the Rehabilitation Act of 1973
- The Age Discrimination Act of 1975
- Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise Section 504 and the Fair Housing Amendments govern)
- The Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Final Rule, published in the *Federal Register* February 3, 2012
- Violence Against Women Reauthorization Act of 2013 (VAWA)
- When more than one civil rights law applies to a situation, the laws will be read and applied together.
- Any applicable state laws or local ordinances and any legislation protecting individual rights of tenants, applicants, or staff that may subsequently be enacted

### Reasonable Accommodation

A person with a disability may require certain types of accommodations in order to have equal access. The types of reasonable accommodations the PHA can provide include changes, exceptions, or adjustments to a rule, policy, practice, or service.

Federal regulations stipulate that requests for accommodations will be considered reasonable if they do not create an "undue financial and administrative burden" for the PHA, or result in a "fundamental alteration" in the nature of the program or service offered. A fundamental alteration is a modification that alters the essential nature of a provider's operations.

### Accessible Units

Certain units at Williamsport Terrace have been architecturally designed for accessibility. Someone in the family must qualify as "needing" the architecturally designed features to apply for or live in these units. These units may have wider doorways, higher commode, extra grab bar(s) and may or may not have

cabinets under sinks and kitchen work areas. An applicant requesting an accessible unit will be requested to verify his or her need with a medical practitioner.

### Applicant/Tenant Responsibilities

Applicants, in order to reside at Williamsport Terrace must be capable of fulfilling all lease requirements. This means that all applicants must be able to meet all of his/her personal needs and be able to fulfill all lease obligations with or without assistance. Williamsport Terrace does not provide, and does not have the authority to provide, any personal/medical care or supervisory services. Williamsport Terrace does not provide any assistance with personal activities of daily living. Management will be happy to provide any applicant or tenant with a list of outside providers who deliver these services in the community.

### Eligibility

All potentially eligible, qualified applicants will be considered in accordance with marketing procedures of Williamsport Terrace.

### Income Limits

Applicants must meet specific income restrictions to be eligible for tenancy at Williamsport Terrace. This facility will house extremely low and very low income households, per program requirements.

The Pickaway Metropolitan Housing Authority (PMHA) reserves the right to alter the Williamsport Terrace Tenant Selection Plan at any time. In such an event, management will provide applicants and residents with ample notice.

## **ADMISSIONS**

### Application Process

Applicants will be considered on a first-received, first-reviewed basis, based upon the date that the completed and signed waitlist application is received and date and time stamped by PMHA. Admission to Williamsport Terrace is limited to those applicants whose income meets the current income limits for this area. Williamsport Terrace can admit persons who meet the very low and extremely low income levels, but a minimum of seven (7) households must meet the HOME requirement of qualification as an Extremely Low Income level household. If it is necessary to deviate from date and time to accomplish this requirement it is done by renting every other available unit to an extremely low applicant/family until the proper level of Extremely Low Income households are served. Due to the current number of Rental Assistance units assigned to Williamsport Terrace by Rural Development, it is not anticipated that the HOME requirement of seven (7) Extremely Low Income households will be difficult to maintain by selection of applicants by date and time of application.

### Apartment Assignments

PMHA will assign Williamsport Terrace apartments to in-place tenants who have a demonstrated need for a change in housing before offering units to an applicant on the Waiting List. This will be done in chronological order, based on the date of the tenant notification to the management of the new "Need". All current, in place tenants whose needs have changed will be housed and/or transferred before anyone on the Waiting List is housed.

## **PROCEDURES FOR APPLYING FOR HOUSING**

### Application Procedure

All persons/families interested in applying for housing at Williamsport Terrace must meet the following requirements to be considered for housing. Waitlist Applications may be picked up at the Management Office located at the Pickaway Metropolitan Housing Authority; 176 Rustic Drive; Circleville, Ohio 43113 between the hours of 8 a.m. and 4:00 p.m., Monday through Friday. Applications can be requested

in writing at the above address, by e-mail at pmha@pickawaymha.com or by telephoning 740-477-2514. Waitlist Applications can also be downloaded from the Pickaway MHA website at pickawaymha.org.

Waitlist Applications should be returned during business hours in person, e-mail or via first class mail. Allowances will be made for persons with mobility impairments or who live out-of-state. Applications will be date and time stamped and applications will enter the Waiting List in the chronological order of receipt.

The Applicant(s) must:

- List all family members who will reside in the unit.
- Demonstrate ability to meet financial obligations in a satisfactory manner, and on time.

### Full Application

Applicants nearing the top of the Wait List will be sent a full application packet. The Applicant(s) must:

- List all family members who will reside in the unit.
- Undergo successful screening related to criminal and prior landlord histories. Screening will be completed by PMHA staff using the SSN and DOB of all applicants 18 years of age or older. Applicants will be screened for felony convictions and criminal activity that would interfere with the health, safety or right to peaceful enjoyment of the premises by other residents. Applicants who are required to register under a sex offender registration program will not be housed.
- Provide the name, address and telephone number of current landlords and all landlords in the previous five (5) years.
- Demonstrate that the applicant has the ability to fulfill all the lease requirements (with or without care assistance) where applicable.
- Maintain satisfactory housekeeping practices that will not jeopardize the health, security or welfare of other residents..

### Verification

All of the above information will be verified in accordance with acceptable practices as approved by Rural Development and the Ohio Housing Finance Agency. Applicants will be required to sign appropriate forms authorizing management to verify any and all factors that affect the applicant's eligibility or the rent that the applicant will pay. If an applicant fails to supply all necessary verification forms, information, or meet the requests of the application process, or PMHA cannot obtain verification of specific required information due to illegible forms/application, the applicant will be notified of the necessary information needed to complete the application, and will be given 30 days to provide said information to the Pickaway MHA. IF the applicant fails to do so, the application will be placed in an inactive file and retained for three (3) years.

### Applicant Assistance

In the event the applicant is personally unable to complete the form, the applicant must provide the information to someone assisting in completing the form. The person assisting the applicant must sign and date the application, indicating that it was completed at the direction of the named applicant. If the applicant is a person with disabilities, management must consider extenuating circumstances where this would be required as a matter of reasonable accommodation.

NOTE: While compiling and reporting statistical data, Rural Development and The Ohio Housing Finance Agency may release the information to other Federal, State or Local Agencies.

## **INTERVIEWS**

### Initial Eligibility

Upon receipt of the full application, the application is preliminarily reviewed. The initial review will be for application completeness, to make sure that the application is legible and to initially determine if the applicant appears to qualify for Williamsport Terrace. This in no way means that an applicant qualifies, or is eligible.

Eligibility can be confirmed only after all items which may have any bearing on the rent that the applicant may pay or rental assistance he/she may receive is verified: income, assets, family composition, etc. The applicant must be determined eligible to be offered housing. Failure to meet for an interview or contact PMHA to reschedule a missed intake appointment will cause the removal of the application from the Waiting List. Applicants will only be permitted to reschedule a total of two appointments before removal of Application from the Waiting List.

#### A Formal Interview

As an applicant's name approaches the top of the Waiting List, a formal interview will be scheduled. At the time the applicant is interviewed, all items on the application will be discussed and confirmed, and verification forms will be signed by the applicant authorizing management to verify all of these issues/items. Until all items are verified, eligibility cannot be determined, nor any housing offered. Management must make an attempt to verify all factors with "third party" written verification.

#### Alternate Verification

In the absence of third party verification within 14 days after attempting third party verification, and no response being received, management will use "Review of Documents" to verify items/issues in accordance with established Rural Development procedures.

## WAITING LIST

#### Waiting List Placement

Any applicant who appears to qualify after PMHA reviews the application, but before any information is formally verified, and for whom a unit is not currently available, will be placed on the Waiting List. All received applications are date and time stamped, entering the Waiting List in chronological order of receipt. One Waiting List is maintained for all apartments at Williamsport Terrace which includes identification of the need for units architecturally designated for accessibility. The applicant is informed of the approximate wait for a unit and/or placement position on the Waiting List. It is the applicant's responsibility to report changes on the application to PMHA in a timely fashion.

#### Eligibility

Applicants who are placed on the Waiting List are apparently eligible at the time of application, based on local applicable income limits as published annually in the Federal Register and information provided by the applicant. Verifications of income and other eligibility factors are only conducted at the time the applicant is called in for an interview and prior to move-in.

#### Incomplete Applications

Any applicant who fails to complete his or her application form in its entirety will be notified of the necessary information needed to complete the application and will be given 30 days to provide said information to Pickaway MHA. If the applicant fails to do so, the application will be placed in an inactive file and retained for three (3) years. The waiting list will document the final disposition of the application in terms of status such as rejected, withdrawn or placed in a unit.

#### Eligibility While on the Waiting List

Only eligible applications are allowed to remain on the Waiting List. If in the unfortunate event, the applying household head, co-head or spouse passes away during the time while waiting on the list, the remaining applying household member(s), if any, must be determined to be eligible to remain on the Waiting List. If the remaining member(s) is not eligible, the application will be removed from the Waiting List and not processed.

#### Deferral of Processing an Application

As an applicant's name approaches the top of the Waiting List, the applicant must proceed with the processing of the application within the required time frame. Any delay will result in the removal of their application from Waiting List. An applicant can only defer the processing of his/her application for up to six (6) months on

the basis of a verifiable medical reason. The applicant must contact management in writing during those six months if the medical condition persists. Failure to do so will indicate that the applicant is no longer interested in housing at Williamsport Terrace and will result in the removal of his/her name from the Waiting List without further notice.

#### Refusal of an Offered Apartment

If an applicant on the Waiting List is offered an apartment and refuses the offered apartment (first offer), the application may remain on the Waiting List at the original spot. In the event of a second refusal of an offered apartment, the application will be rejected and the applicant's name removed from the Waiting List. The applicant may reapply in the future.

#### Lease Signing & Move-In

When an applicant is offered an apartment, the applicant must sign the lease in a reasonable amount of time, not to exceed 10 business days. If for any reason the applicant is unable to sign the lease and move into the apartment within the allowed time, the application will be dropped from the Waiting List. If the applicant does not move into the apartment after signing the lease, Williamsport Terrace management will terminate the offer of housing.

#### In-Place Tenant Housing Needs

When a unit becomes available, in-place tenants requiring a different apartment (see Transfer Policy) will be housed appropriately before we move in an applicant on the Waiting List. This allows management to serve current tenants having the greatest housing need prior to applications on the Waiting List. In this manner, we are able to avoid displacing, through any action, current tenants whose housing needs have changed since admission.

#### Hardships

Applicants who are experiencing hardships due to health or financial reasons will not be moved from their original date on the Waiting List if proper documentation is received by management who in turn, approves the hardship case.

#### Removal of Names From the Waiting List

Applicant names will be removed from the Waiting List for any of the following reasons:

- The applicant no longer meets the eligibility requirements for the property or program
- The applicant fails to respond to PMHA when contacted concerning their interest in retaining his/her placement on the Waiting List
- The applicant fails to respond to a written notice within the required time frame
- The applicant does not comply to the verification process in a timely manner
- The applicant does not provide the required documentation in a timely manner
- The applicant fails to sign any and all documents in a timely way, up to and including the lease
- The applicant is offered an apartment and rejects the offer
- The applicant seeks deferral in the processing of the application for any other reason other than a verifiable medical reason
- Mail sent to the applicant's address is returned as undeliverable, unclaimed or notforwarded; or
- The apartment that is needed, using family size as the basis, changes, and no appropriate size unit exists in the property
- The applicant requests removal from the Waiting List
- The applicant cancels their interest and decides not to proceed with the processing of the application

### **EXTREMELY LOW INCOME (ELI) PROCEDURES**

This procedure will ONLY be used when the targeted number of Extremely Low Income households does not meet the HOME requirement of seven (7) households. With the presence of Rural Development Rental Assistance at the property, PMHA does not anticipate that the Income Targeting Procedure will need to be

implemented.

### Income Targeting Requirements

If management determines that the Williamsport Terrace Waiting List, maintained in standard chronological order, may not (or will not) achieve the admissions necessary to meet the HOME requirements, then management must implement procedures that will ensure compliance.

### Income Targeting Requirement Procedure

Management will implement the procedure of alternating between the first extremely low-income (ELI) applicant on the Waiting List and the applicant at the top of the Waiting List when it is determined that the HOME requirement of serving a minimum of Extremely Low Income households is not being met. To implement this procedure, management will select the first extremely low-income applicant on the Waiting List (which may mean "skipping over" some applicants with higher incomes) for the available unit, and then select the next eligible applicant currently at the top of the Waiting List (regardless of income level) for the next available unit. As subsequent units become available, tenant selection continues to alternate between the next extremely low-income applicant and the eligible applicant at the top of the Waiting list so that the HOME requirement is always met.

## **REJECTION PROCEDURES**

### Management Rejection of Applicant

When management rejects an applicant, the applicant will be notified of this decision in writing. This written statement, which will be sent in a timely fashion, will include the reason(s) for the rejection, and will state that the applicant has the opportunity to request a meeting with management representatives to discuss the rejection. The applicant will be further instructed to request the meeting within fourteen (14) days of the date of the rejection letter.

### Request Procedure

If the applicant wants to request a meeting, the applicant's verbal or written request must be sent to PMHA within fourteen (14) days of the date of the rejection notice. A staff member, who was not involved in the initial decision to deny admission or assistance to the applicant, will hold the requested meeting. Within five (5) business days of management's response or meeting, management must advise the applicant in writing of the final decision regarding eligibility. All of this material (original application, rejection letter, applicant's request for a meeting, summary of the meeting and the final decision) must be kept for three (3) years in confidential files. Persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process.

## **UNIT SIZE STANDARDS & GUIDELINES**

### Occupancy Standards

- Minimum of one person per bedroom; maximum of two persons per bedroom
- Minimum of one person is allowed for a one-bedroom unit; maximum of two persons are allowed for a one-bedroom unit
- Minimum of two persons is allowed for a two-bedroom unit; maximum of four persons are allowed for a two-bedroom unit

### When Assigning Bedrooms

- All full-time members of the household listed on the application and RD Form 3560-8 are counted
- An unborn child may be counted for occupancy but not eligibility determination
- Live-in aides and foster children are counted when determining bedroom size
- Children who are in joint custody arrangements who are present in the household 50% or more of the time

- Children away at school, who live with the family when school recesses, may be counted. Management will not count children who are away at school and who have established residency at another address or location as evidenced by a lease agreement or other proof of another established permanent address or location (not a dorm address)
- Minimum of one person per bedroom, maximum of two persons per bedroom
- Children in the process of being adopted by an adult family member;
- Children whose custody is being obtained by an adult family member;
- Foster children who will reside in the unit;
- Children who are temporarily in a foster home who will return to the family;
- Adults who are foster adults living in the unit

Family members that are temporarily in correction facilities:

- If the individual is expected to be released within six months from the date of the lease agreement, the individual can be counted for purposes of determining bedroom size. For any individual who cannot be documented as receiving release for any period exceeding six months, they cannot be counted for purposes of determining bedroom size. All other eligibility criteria applies to the screening of this family member.

The borrower must not count nonfamily members, such as adult children on active military duty, or permanently institutionalized family members or visitors.

#### Reasonable Accommodation Request

A tenant who is disabled will not be considered over-housed if the tenant requests an additional room for a live-in aide or an apparatus related to the tenant's disability.

#### Apartment Change Request

A larger apartment than needed may be assigned to an eligible family if the family can certify with third party verification that there is a medical reason for the larger unit. This certification must include a specific explanation as to how the medical condition will improve by the assignment of a different apartment.

#### Family Changing Needs

Williamsport Terrace will accommodate the changing needs of the in-house tenants because of increases in the number of family members or changes in the family composition, before going to the Waiting List

## **ACCESSIBLE UNITS**

#### Accessible Units

Because two (2) of the units at Williamsport Terrace have been architecturally altered for accessibility for persons with disabilities, someone in the family must qualify as "needing" the architecturally altered features to apply for or live in these units. This need must be verified with a medical practitioner. Units that have been altered in any way for a disabled person will be rented to a family or individual needing that specific unit type, or the architectural features present in that unit. In all instances, "accessible" units shall be rented to a family with a member needing that type of unit.

In the unlikely event that no applicant or family can be found that requires that Williamsport Terrace unit type, a non-disabled elderly applicant or family can be housed there, temporarily, only after signing a statement that will become a lease amendment that states that they will move, within 30 days, "at their own expense" when they are notified by management, in writing, that a non-handicapped unit is available.

## **TRANSFER POLICY**

#### In-House Transfers



Management will approve in-house transfers, in the following situations:

- A verifiable medical reason requiring a different apartment or accessible unit, including the need for a 24-hour live-in care attendant (this will be verified with a medical practitioner using a verification of medical nexus form.
- Change in family composition and/or size
- Transfer from apartment due to renovation of previous apartment
- A household that is living in a mobility-impaired apartment and does not require the features of that apartment

### Reasonable Accommodation

Requests for transfers that are based on a need for a reasonable accommodation will be provided priority over other requests. Transfers will be provided to persons who have a medical or other verified need, because of a disability, in the chronological order of requests received. All other transfers will be provided after requests for reasonable accommodations and will occur in chronological order by the date the request was received.

## DEFINITIONS

### Live-In Aide

A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities, and who:

- Is determined to be essential to the care and well-being of the persons;
- Is not obligated for the support of the persons, and
- Would not be living in the unit except to provide the necessary supportive services(24 CFR 5.403).

A relative may be a Live-In Aide but must meet all of the above requirements, and sign a statement to that effect. PMHA will verify this with a physician or recognized health care professional. The sole purpose of a Live-In Aide is to provide the tenant with support services and will not qualify for continued occupancy in the event the tenant vacates the unit. PMHA may re-verify the need for a Live-In Aide when necessary.

The screening of Live-In Aides at initial occupancy and the screening of persons or Live-In Aides to be added to the tenant household after initial occupancy involve identical screening activities as applicants. Live-In Aides must be screened for drug abuse and other criminal activity, including lifetime registration as a sex offender, by applying the same criteria established for screening other applicants. Owner-established screening criteria must also be applied to Live-In Aides.

To qualify as a Live-In Aide:

- a) The Owner must verify the need for the Live-In Aide. Verification that the Live-In Aide is needed to provide the necessary supportive services essential to the care and well-being of the person must be obtained from the person's physician, psychiatrist or other medical practitioner or health care provider. The Owner must approve a Live-In Aide if needed as a reasonable accommodation to make the program accessible to and usable by the family member with a disability. The Owner may verify whether the Live-In Aide is necessary only to the extent necessary to document that applicants or tenants who have requested a Live-In Aide have a disability-related need for the requested accommodation. This may include verification from the person's physician, psychiatrist, or other medical practitioner or health care provider. The Owner may not require applicants or tenants to provide access to confidential medical records or to submit to a physical examination.
- b) Expenses for services provided by the Live-In Aide, such as nursing services (dispensing of medications or providing other medical needs) and personal care (such as bathing or dressing), that are out-of-pocket expenses for the tenant and where the tenant is not reimbursed for the expenses from other sources, are considered as eligible medical expenses. Homemaker services such as housekeeping and meal preparation are not eligible medical expenses.

- c) Qualifies for occupancy only as long as the individual needing supportive services requires occupancy as a remaining family member.
- d) The Live-In Aide can be evicted for violation of established house and lease rules.
- e) Must meet the screening criteria for all applicants to Williamsport Terrace.

An adult child is eligible to move into a Williamsport Terrace rental unit after initial occupancy ONLY if they are essential to the care or well-being of the elderly parent(s). The adult child may be considered a Live-In Aide if all of the requirements listed above apply and there is a verified need for a Live-In Aide.

#### Annual Income

Annual Income is now defined as all amounts, monetary or not, which:

- Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member, and
- Are based on, at the time of admission, reexamination or recertification:
  1. Actual income being received (projected forward for a 12-month period), or
  2. Past actual income received or earned within the last 12 months of the determination date, when the family reports little or no income, and the processing entity is unable to determine annual income due to fluctuations in income such as seasonal or cyclical income.
  3. Which are not specifically excluded in acceptable Rural Development regulations.
  4. Annual income also means amount derived (during the 12-month period) from assets to which any member of the family has access.

#### Extremely Low Income Family

A family whose annual income does not exceed 30% of the median income for the area, with adjustments for smaller and larger families.

#### Very Low Income Family

A Very Low Income family is a family whose annual income does not exceed 50% of the area median income, with adjustments for smaller and larger families.

## **VICTIMS OF DOMESTIC VIOLENCE**

The Violence Against Women Act of 2005 (VAWA), and the subsequent renewing legislation, protections apply to families applying for or receiving rental assistance payments. The law protects victims of abuse, domestic violence, dating violence or stalking, as well as their immediate family members generally, from being denied housing assistance if an incident of violence is reported and confirmed. Furthermore, criminal activity directly relating to abuse, domestic violence, dating violence or stalking is not grounds for denying the victim's tenancy. Once housed, Owners may bifurcate a lease in order to evict, remove, or terminate the assistance of the offender while allowing the victim, who is a tenant or lawful occupant, to remain in the unit.

PMHA may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that Form HUD-91066 or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide certification or other supporting documentation within the specified time frame may result in a denial or termination of housing.

#### Domestic Violence

Domestic Violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's

acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

### Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

### Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to Fear for the person's safety or the safety of others; or Suffer substantial emotional distress. For the purposes of this definition: Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

### Immediate Family Member

Immediate Family Member means, with respect to a person:

- a) a spouse, parent, brother or sister, or child of the person, or an individual to whom that person stands in loco parentis (in place of a parent); or
- b) any other person living in the household of that person and related to that person by blood or marriage.

### Bifurcate

Bifurcate means to divide a lease as a matter of law so that certain tenants can be evicted or removed while the remaining family members' lease and occupancy rights are allowed to remain intact.

## **SCREENING/REJECTION CRITERIA**

All applicants 18 years of age or older in a household will be screened for rental history, credit and criminal history, and general program eligibility prior to residency. This includes police officers or security personnel living on-site. The screening of live-in aides at initial occupancy, and the screening of persons or live-in aides to be added to the tenant household after initial occupancy involve similar screening activities. Both live-in aides and new additions to the tenant household will be screened for drug abuse and other criminal activity. An application may be rejected for any one of the following reasons:

- Submission of false, incomplete or inaccurate information on the application, or failure to cooperate in the verification process
- The applicant has a history of unacceptable or unsatisfactory credit or criminal history as reported by a credit agency or other organization. This includes registration as a Sexual Offender (Please see Credit & Criminal Screening criteria for more information)
- Negative reference from current or previous landlord, including but not limited to habitual lease violations, evictions, etc.
- The household (including a Live-In Aide) size is not appropriate for a specific apartment (Please refer to Apartment Size Standards & Guidelines)
- Failure to sign designated or required forms
- Failure to provide required documentation in a timely manner
- The applicant cannot pay the appropriate security deposit at move-in
- The applicant will be maintaining a separate 2<sup>nd</sup> residence and/or legal address

- The applicant has been offered a housing apartment and has refused to take the apartment offered
- The applicant is not capable of fulfilling the lease agreement, with or without assistance
- The applicant has a criminal history
- The applicant household income exceeds the current income guidelines
- The applicant is unable to provide proof of social security numbers as required by Rural Development and management policy.

All rejection letters are sent certified via United States Postal Service.

## **CRIMINAL OR DRUG-RELATED ACTIVITY**

Upon move-in, tenants sign leases requiring them to accept responsibility for the actions of individual household members, their guests, or other persons on the premises with their consent. No tenant, or member of the tenant's family our household, guest, or any other person visiting a tenant shall engage in criminal activity on or near the apartment complex. This criminal activity includes drug-related criminal activity, other criminal activity or drug and alcohol abuse that threatens the health and safety of the tenants and staff or hinders the peaceful enjoyment of the housing premises.

"Drug-related criminal activity" means the illegal manufacture, sale, distribution and/or use of a controlled substance (as defined in Section 102 of the Controlled Substance Act), in part:

- a) No tenant, or member of the tenant's household or family, or any guest or other person shall engage in any act intended to facilitate criminal activity, drug-related activity on or near the apartment complex;
- b) No tenant, or member of the tenant's household or family, or any guest or other person shall permit the dwelling unit to be used for, or to facilitate, criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, family or a guest;
- c) No tenant, or member of the tenant's household or family, or any guest or other person shall engage in the manufacture, sale or distribution of illegal drugs on or near the apartment complex or project site;
- d) No tenant, or member of the tenant's household or family, or any guest or other person shall engage in acts of violence, including, but not limited to, the unlawful discharge of firearms and/or weapons on or near the apartment complex.

Violation of the above provisions shall be a material noncompliance violation of the lease and good cause for termination of the lease. A single violation of any of these provisions shall be deemed a serious violation and material noncompliance of the lease. It is understood and agreed that a single violation shall be good cause for termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by a preponderance of the evidence.

## **CREDIT & CRIMINAL SCREENING CRITERIA**

### Rental Approval

If a prior landlord reported the applicant(s) damaged property or lease violations the applicant can be denied. This includes lease violations, disturbing the peace, harassment, poor housekeeping habits, improper conduct or other negative reference against the household.

Any eviction within the past three (3) years is automatically grounds for denial. This includes any household members who have been evicted from Federally-assisted housing within the last three (3) years for drug-related criminal activity. If the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program or circumstances leading to the eviction no longer exist, management will review on a case-by-case basis.

Management will request landlord references from all previous landlords in the past five years. Damages,

housekeeping issues, lease violations, unauthorized persons residing in the unit and disruption within the neighborhood are examples of issues that could result in grounds for denial.

Any evidence of illegal activity including drugs, gangs, weaponry, etc., will be grounds for denial.

Grossly unsanitary or hazardous housekeeping habits can be grounds for denial.

Any debt balance resulting specifically from damages to a unit, owed to a prior management company or housing complex will need to be paid prior to move-in.

Lack of rental history is not grounds for denial.

### Criminal Background Check

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past three years, the family will be denied assistance.

*Drug-related criminal activity*, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug. (If the household member can document completion of a supervised drug rehabilitation program, the housing authority may consider assisting them.)

*Violent criminal activity*, defined by HUD as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or

Criminal activity that may threaten the health or safety of property owners, management staff, and persons performing contract administration functions or other responsibilities on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor, or agent).

*Immediate vicinity* means within a three-block radius of the premises.

Evidence of such criminal activity includes, but is not limited to:

Any conviction for drug-related or violent criminal activity within the past 3 years.

Any arrests for drug-related or violent criminal activity within the past 3 years.

Any record of eviction from public or privately-owned housing as a result of criminal activity within the past 3 years.

A conviction for drug-related or violent criminal activity will be given more weight than an arrest for such activity

The housing authority will consider only felonies not misdemeanors.

The housing authority will consider only convictions or pleas of guilty not arrests. The housing authority will deny anyone who currently must register as a sex offender.

#### **USDA Non-Discrimination Statement**

This institution is an equal opportunity provider.

#### **HUD Notification of Non-Discrimination on the Basis of Disability Status**

Pickaway Metropolitan Housing Authority does not discriminate on the basis of disability status in the admission or access to, or treatment or employment in, its federally assisted programs and activities. The person named below has been designated to coordinate compliance with the nondiscrimination requirements contained in the Department of Housing and Urban Development's regulations implementing Section 504 (24 CFR, part 8 dated June 2, 1988): Jean Maynard, Pickaway Metropolitan Housing Authority, 176 Rustic Drive, Circleville OH 43113, Phone: 740-477-2514, Email: [jmaynard@pickawaymha.com](mailto:jmaynard@pickawaymha.com)