

## Wyoming LIHTC/HOME Resident Selection Plan

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### **I. The Purpose of the Resident Selection Plan**

Platte River Apartments was established to provide safe and affordable housing for low income and moderate income individuals as defined in the eligibility criteria below. The property has signed a LIHTC and HOME Use/Regulatory Agreement restricting the use of the property to eligible households as stated in the Affordable Housing Tax Credit Program.

### **II. The Availability of the Resident Selection Plan**

The Resident Selection Plan is available to the public upon request. It may be reviewed in the rental office during normal office hours or at anytime at our website: [www.blpmc.com/Platte River](http://www.blpmc.com/Platte River)

### **III. Equal Opportunity and Nondiscrimination Policy**

The BlueLine Property Management company operates Equal Housing Opportunity communities. As such, all properties associated with BlueLine Property Management hold to all federal fair housing, civil rights and state and local regulations concerning nondiscrimination in housing, including:

1. **The Fair Housing Act;** which prohibits discrimination in housing and housing related transactions based on race, color, religion, sex, national origin, disability and familial status. The Fair Housing Act applies to housing regardless if federal financial assistance is present or not.
2. **Title VI of the Civil Rights Act of 1964;** which prohibits discrimination based on race, color or national origin in any program or activity receiving federal financial **assistance**.
3. **Age Discrimination Act of 1975;** which prohibits discrimination based upon age in any program or activity receiving federal financial assistance, except in limited circumstances.
4. **Section 504 of the Rehabilitation Act of 1973;** which prohibits discrimination based on the presence of a disability in all programs or activities operated by recipients of federal financial assistance.
5. **The Equal Access Rule;** which ensures equal access to individuals in accordance with their gender identity.
6. **The Equal Credit Opportunity Act;** The person named [here](#) has been designated to coordinate compliance with the nondiscrimination requirements contained in HUD regulations implementing Section 504 (24 CFR, part 8 dated June 2, 1988):

The BlueLine Property Management company will take steps to the maximum extent feasible to accommodate requests for effective communication with persons with disabilities. We will make alternate accommodations up to the point at which further accommodations would result in either a fundamental alteration in the nature of the project or create an undue financial and administrative burden. In accordance with Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act, the property will attempt to make such changes as will reasonably accommodate people with disabilities within the regulations governing the housing program. BlueLine Property Management will provide appropriate assistance when needed or when requested as a reasonable accommodation. **For example:** the community may provide forms in an appropriate language, including large print or braille, provide interpreters or readers, or allow assistance from caseworkers, family members and other aides.

### **Policies for Applying Violence Against Women Act (VAWA) Protections**

The Violence Against Women Act Reauthorization of 2013 (VAWA) provides protections to women or men who are the victims of domestic violence, dating violence, sexual assault and/or stalking. The BlueLine Property Management Company understands that, regardless of whether state or local laws protect victims of domestic violence, dating violence, sexual assault or stalking, people who have been victims of violence have certain protections provided through the Violence Against Women Reauthorization Act of 2013 (VAWA 2013).

If any applicant wishes to exercise the protections provided in the VAWA 2013, he/she should contact the Community Manager immediately.

The BlueLine Property Management Company will not assume that any act is a result of abuse covered under the VAWA 2013. In order to receive the protections outlined in the VAWA 2013, the applicant/applicant must specify that he/she wishes to exercise these protections.

Please see the BlueLine VAWA Policy for specifications.

### **Program Eligibility Requirements**

Based on Federal regulations, BlueLine Property Management may admit only eligible applicants. In the selection of applicants for admission, eligibility criteria have been established in accordance with HUD, LIHTC, and IRS guidelines. The following eligibility standards will be applied in accordance with these requirements:

1. The household's annual income must not exceed program income limits at move-in, and must be at minimum 1.5 times the rent amount at the time of move-in.

The income limits for this county are posted on: <https://www.wyomingcda.com/wp-content/uploads/2020/06/HOME-Rent-Limits-July-1-2020.pdf> for HOME regulations and <https://ric.novoco.com/tenant/rentincome/calculator/z4.jsp> at the 40% or 45% income limit. Limits are adjusted based on the amount of household members;

2. The head of household, spouse, and co-head (regardless of age) and all adults in each household must sign an Authorization for Release of Information and the BlueLine Property Management Company created verification documents prior to move-in and annually thereafter. Family members who refuse to sign the Release of Information documents and/or refuse management the ability to verify program eligibility for the family will be denied housing
3. The unit for which the household is applying must be the household's only residence;
4. An applicant must agree to pay the rent required by the program under which the applicant will receive assistance.
5. All information reported by the household is subject to verification:

### **Application Procedure**

BlueLine Property Management will accept applications from all interested parties who wish to be admitted to the property during normal business hours. Any prospective resident may, upon request, complete and submit an application. Basic program and eligibility information may be given to prospective applicants; however, only submitted applications can determine the applicant's eligibility. Management will not pre-screen prospective applicants by giving an opinion regarding the application outcome. All applicants approved for housing must qualify under the eligible factors in the above sections.

### **Processing Applications**

Applications will be processed on a first come, first serve basis. Applications will not be accepted or processed without the fully completed application and all adult household signatures.

### **When and How to Apply**

Applications are accepted during normal business hours. Applicants may apply in person, mail, fax, or email. All applications must be complete with no blanks and must be signed. No applications will be processed until the applicant has given their written consent, which is satisfied by signing all forms of the application packet in the designated places. Due to different project specific requirements, BlueLine Property Management does not maintain a centralized application process. In order to apply for residency, applicants must provide a complete application to each specific property they wish to apply for.

### **Procedure for Accepting Applications**

Persons desiring housing must complete the application packet in its entirety. All individuals 18 years of age and older, regardless of relationship to one another, who will be living in the unit must be identified and are required to complete and sign an application packet. All household members 18 years of age and older must sign all required verification forms in order to determine program eligibility.

### **Denied Applications**

Once applicant screening has been complete and all materials have been verified and evaluated, any application not meeting the above criteria will be denied. Applicants that have been denied will be notified in writing. All denials will list the reason(s) for the denial and advise the applicant that they have fourteen (14) business days to contact Management for an appointment to discuss the denial.

### **Appeals**

All denied applicants have the right to appeal the decision. The request for appeal must be in writing and made with fourteen (14) business days from the date of the denial letter. The contact information for requesting an appeal will be outlined in the rejection letter. In accordance with HUD regulations, persons with disabilities have the right to request reasonable accommodations to participate in the informal hearing process. Any meeting with the applicant to discuss the applicant's denial will be conducted by a property staff member who was not involved in the initial decision to deny admission or assistance. Any decision to overturn the initial denial is entirely rendered at the hearing.

A meeting with Management regarding the denial does not imply that the denial will be overturned. A copy of the denial letter will be placed with the application and the application will remain at the property for three years. Denied applications will not be returned to applicants.

### **Applicant Screening Criteria**

BlueLine Property Management is committed to selecting qualified residents in a non-discriminatory manner. All application information will be verified consistently and in the same manner to avoid giving favorable or unfavorable treatment to any particular applicant. All applicants who reside at the Property, including live-in aides, persons to be added to household, both before and after Initial occupancy must consent to management's screening process.

### **Methods of applicant screening will include:**

- a) Criminal background check;
- b) Sex offender registry search;
- c) Credit check;
- d) Verification of past rental history (for the past five years);
- e) Additional BlueLine Property Management adopted criteria established below.

It is our policy to investigate the background of all persons interested in living in our community for the last ten (10) years. BlueLine Property Management will deny admission to the project for cause if the applicant or a member of the applicant's household has any of the following reported criminal related reason that have occurred within the timeline identified below prior to the application date regardless of the applicants age at the time the offense was committed. All records are evaluated from the date of the disposition.

Offense	Felony	Misdemeanor
Arson	10 Years	7 Years
Assault and Battery I	7 Years	3 Years
Assault and Battery II	10 Years	5 Years
Bad Checks	5 Years	2 Years
Burglary I or II	10 Years	5 Years
Crimes Against Animals	3 Years	1 Year
Crimes Against Children	7 Years	3 Years
Destruction of Property	10 Years	5 Years
Disturbance of Peace	3 Years	NA
Domestic Crimes	7 Years	3 Years
Drug Offenses I	3 Years	NA
Drug Offenses II	3 Years	NA
Drug Offenses III	7 Years	3 Years
Drug Offenses IV, V and VII	10 Years	5 Years
Drug Offenses VI	7 Years	3 Years
Embezzlement	5 Years	3 Years
Fraud I and II	5 Years	3 Years
Harassment	3 Years	NA
Homicide I, II, III, IV	ANY	7 Years
Kidnapping I and II	10 Years	5 Years
Offense	Felony	Misdemeanor
Organized Crime	7 Years	3 Years
Robbery	10 Years	5 Years
Sex Crimes – Other	7 Years	3 Years
Sex Crimes Against a Person OR Child	ANY	7 Years
Theft/Larceny	7 Years	3 Years
Weapons Related I and II	7 Years	3 Years

In addition, the BlueLine Property Management will obtain rental verifications from current and past five (5) years of addressed. Applicants will be denied for derogatory landlord history if any of the following are reported:

- Late 4 or more times in a year

- Repeated lease violations
- Excessive damage to unit
- Damage to common areas
- Disruptive conduct (resident or guests)
- Eviction filed within last two years
- Unauthorized occupants
- False information provided
- Eviction from subsidized housing within last three years

BlueLine Property Management will also review applicants credit reports. Having unfavorable credit will not be an automatic denial. If there are past landlords listed where you either currently owe money to or owed money to and have paid, rental verifications will be obtained for those addresses as well.

After a review of each household member's credit report, BlueLine Property Management may deny admission for the following credit reasons:

- Balance(s) owed to utility company (this does not include cell phone or cable/satellite providers)
- Balance(s) owed to previous Landlords

Applications will be approved if applicant can provide documentation that balances owed of less than \$500 are paid to previous landlord in full. If balance is more than \$500, applicant can provide documentation regarding payment plan with previous landlord.

### **Student Status**

Student households comprised of full-time students are prohibited unless the household meets one of five exceptions continually for the period of time that everyone is a fulltime student. This includes:

- married and entitled to file a joint tax return,
- single parents with minor children in which the adult and children are not a tax dependant of any third party (minors- exclude parents residing outside of the household),
- receipt of state welfare assistance payments such as TANF,
- former foster children & adults,
- and/or those who get assistance from the Job Training Partnership Act or similar program.

NOTE: Any household violating the LIHTC Student Rule will be terminated.

Should the unit you chose to rent also be designated as a "HOME" unit, to be eligible for residency, any household member who attends an institute of higher learning (full or part time) must meet on the following qualifiers;

- a dependent of the household living with a parent,
- over age 23, a veteran, married, a parent with a dependent child(ren),
- a disabled individual who was receiving Section 8 assistance prior to November 30, 2005,
- be independent from parent or have parent who are income-eligible.

NOTE: If an in-place household becomes ineligible due to having any one member who is an ineligible student the household will be treated as "over-income" per the HOME rules.

### **Changes to Family Composition after Move-in**

The family may request a change in unit size due to the addition or subtraction of a family member after 6 months of occupancy, but changes may not be allowed until after 12 month lease period if household income would change. Families must inform management within 30 days when a change occurs. The household must

meet program eligibility requirements at the time the change of household composition occurs. Adult additions to the family must be approved for occupancy in accordance with the property's resident selection criteria prior to occupying the unit. Adult members' income must be considered in the maximum income limit and also must be added to the lease. Standard occupancy limits are no more than 2 per members per bedroom. Ask management about exceptions.

### **Unit Transfers**

Should a need arise for a current resident to transfer to either a smaller or larger unit, "in-place" residents will be given priority over applicants on the Waiting List. Unit Transfers shall be strictly limited to the following situations:

- a) **Reasonable Accommodation:** When approved as a reasonable accommodation that would allow the tenant's full use of the property based on a disability related need.
- b) **Over/Underutilization of unit:** When a change in household composition causes the current unit to be over or underutilized. For example, if a household size changes a unit transfer to a larger or smaller unit may be requested by the resident or may be required to Management. Per the occupancy standards above, a minimum of one person per bedroom and a maximum of two persons per bedroom are required.
- c) **Need for Accessible Unit:** When a resident needs a unit with handicap-accessible amenities and fixtures.
- d) **Medical Necessity:** Medical reason certified by a doctor.
- e) **Deeper Subsidy:** The availability of a deeper subsidy which would decrease resident rent responsibility.

Unit transfer approval may be granted once all required documentation is received. If written documentation of the need to accommodation is required, BlueLine Property Management will inform the resident and request the resident's authorization for verification.

Residents transferring must be current with rent, pass a unit inspection and have no unresolved lease violation notices. BlueLine Property Management has elected to establish a policy of requiring a new security deposit be paid to the new unit. Any excessive damages deemed beyond normal wear and tear or caused by abuse, neglect or willful destruction shall be billed to the resident in the form of an itemized list of damages.

### **Security Deposit**

The required security deposit for each unit is established at move-in and will be no less than one month's rent. When a tenant transfers to a new unit, management will charge a new security deposit and refund the balance of the deposit for the old unit.

### **Modification of the Resident Selection Plan**

Management will review this Resident Selection Plan at least once annually to ensure that it reflects current operating practices, program priorities, and LIHTC and HUD requirements. If the property and/or HUD'S Contract Administrator feel the plan needs to be modified in any way, a notice of such modification will be provided by mail to applicants on the waiting list, and by public forum to other interested persons who may have an interest in becoming applicants.