

Penn Street Tower Apartments

Resident Selection Criteria

Penn Street Tower Apartments is mixed-income development that offers one and two bedroom apartments. This mixed-income development has been made possible by participation in the Section 42 Program under the Internal Revenue Code (“IRC”). In addition to providing lower rental rates for most of the apartment units, Penn Street Tower Apartments welcomes households holding Section 8 vouchers that comply with IRS rules and Penn Street Tower Apartments Resident Section Criteria

Penn Street Tower Apartments will make every effort to comply with all applicable Federal, State, and local Fair Housing and Civil Rights laws and Equal Opportunity requirements.

Penn Street Tower Apartments will thoroughly evaluate every household making an application for an apartment at our community. While Penn Street Tower Apartments does contain market apartments, some households residing at Penn Street Tower Apartments must qualify under certain Internal Revenue Service (“IRS”) rules and Penn Street Tower Apartments Resident Selection Criteria, all of which are outlined in this document. Applications may be denied based on poor landlord references, poor written reference, poor credit history, and employment reference or felony conviction. In addition, we are required to verify that all applicants do not exceed the maximum allowable income limit and other eligibility criteria as set forth by the Section 42 program.

It is difficult to project the amount of time needed to review your application since each household composition is different. However, we will do our best to process all applications within 2 weeks or less. Your cooperation and responsiveness during the process can affect how quickly your application is processed, so please try to be as responsive to our information requests as possible.

Eligibility Requirements

To be eligible for admission and for continuing occupancy, applicants must meet the eligibility requirements for Section 42 and Penn Street Tower Apartments Resident Selection Criteria including but not limited to:

1. General Household Characteristics

- a. A criminal history and landlord reference check will be performed for ALL Residents proposed on any application.
- b. Full-time students are NOT generally permitted income restricted apartment units because of Section 42 requirements. Full-time students are defined as individuals who during each of five (5) months during the calendar year are a full-time student at an educational organization. The five (5) calendar months need NOT be consecutive. Therefore, households where ALL members

are full-time students for five or more months during the current and/or upcoming calendar year (months need not be consecutive) would generally not be permitted in Section 42 apartment units. However, some households including one or more full-time students can qualify for one of the exemptions under the Internal Revenue Code. Exemptions to this requirement are:

- At least one person in the household is NOT a full-time student;
- Household members are married and eligible to file a joint tax return;
- The Household consists of a single parent or parents and their child(ren) and such parent(s) and child(ren) are not dependents of another individual.
- At least one person in the household receives Aid for Dependent Children (AFDC) or Temporary Aid to Needy Families (TANF) (benefits under Title IV of the Social Security Act).
- At least one person in the household is receiving assistance under the Job Training Partnership Act, Workforce Investment Act, or under other similar, federal, state or local laws;
- At least one household member previously was under the care and placement responsibility of the state agency responsible for administering foster care;
- **Documentation supporting the household's exemption must be provided during the application process.**

2. Occupancy Standards/Live-In Aides

Applicants must be physically able to live within the property's facilities and mentally competent to execute the lease and abide by its terms and to handle his/her personal affairs with or without the aid of an attendant.

a. A dwelling unit of the appropriate size must be available in order to permit occupancy by an eligible household. Minimum space requirements for residential buildings are specified in square feet in the local building code and depend on age and number of occupants. Typically, we will consider a maximum of two persons per bedroom to be a reasonable standard.

b. A "Household" will be considered all individuals residing in the unit (head/co-head of household, spouse, other adults, children under 18 years of age residing in the unit at least 50% of the time, unborn children, etc. However, the following individuals will NOT be included when determining income eligibility: Live-in Aide(s).

c. **No additions to the household may be made after move in unless approved in writing by the property manager.** The property manager will not approve an addition of any person to a household until all necessary verifications, including credit report, criminal reports, landlord

verifications, income and asset verifications, etc., have been received and approved. Permitting unauthorized persons to occupy the unit is in violation of the lease and is grounds for termination of tenancy (eviction).

No additions to a household will be approved if the addition will cause the household to exceed the maximum number of persons residing in a unit permitted by the local occupancy code for the unit size.

d. Additions of Live-in Aides/Attendants will be permitted after a criminal history and landlord reference check is performed and approved by the Manager and documentation from a licensed physician stating the household's need for a Live-in Aide/Attendant is obtained by the Manager.

LIVE-IN AIDE/ATTENDANT: Live-in aide means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who is essential to their care and well-being based on a licensed physician's certification and who: (1) Is determined to be essential to the care and well-being of the person; (2) Is not obligated for the support of the person; and (3) Would not be living in the unit except to provide the necessary supportive services.

A criminal history and landlord reference check will be performed for all Live-in Aides/Attendants proposed on any application. All Live-in Aides/Attendants must meet the criteria for criminal history and landlord reference check as outlined in this document in order to be approved to reside at the property with the household.

3. Income Requirements and Limitations

a. The monthly household income at initial move in must be at least two (2) times the monthly rent for the unit. Section 8 voucher holders will be evaluated based on the amount of rent paid directly by the resident.

b. Annual gross household income for the Section 42 apartment units may NOT exceed the applicable income limits for the Section 42 program upon initial occupancy to the development. Please see the property manager for a listing of the most current income limits. Income limits are published annually by HUD and the Indiana Housing and Community Development Authority (IHCD).

4. Special Needs Apartments

- The Owner has committed to setting aside 6 units of the total units at Penn Street Tower Apartments to qualified tenants who meet the State definition of special needs population as provided in IC 5-20-1-4.5 and must reasonably equip each set aside unit to meet a particular person's need at no cost to the tenant. Special needs populations include:
 - Persons with physical or development disabilities

- Homeless persons

5. Income Requirements and Limitations

a. The monthly household income at initial move in must be at least two (2) times the monthly rent for the unit. Section 8 voucher holders will be evaluated based on the amount of rent paid directly by the resident.

b. Annual gross household income for the Section 42 apartment units may NOT exceed the applicable income limits for the Section 42 program upon initial occupancy to the development. Please see the property manager for a listing of the most current income limits. Income limits are published annually by HUD and the Indiana Housing and Community Development Authority (IHCDA).

6. Credit History

Applicants' willingness to pay rent in a timely manner as determined from information obtained from current and prior landlords or mortgage companies, if any, for at least the past two years will be evaluated. A full credit history from a professional reporting agency will be requested. The following are the evaluation factors used by Penn Street Tower Apartments to determine the applicant's willingness to pay:

a. Bankruptcy should be discharged for at least two years and new credit should be established since the bankruptcy by showing at least three months of consecutive payments on a new revolving credit line;

b. Applicants with utility collections on their credit reports from within the past five (5) years may be asked to show proof of payment in full. Applicants with past due accounts with Penn Street Tower Apartments utility providers will be required to show proof of payment in full. Applicants with an excessive number of past due amounts within the past five (5) years for utilities may not be accepted.

c. Applicants with other types of civil judgments within the past (2) years may not be accepted.

d. Applicants with collections/judgments/debts may not be accepted.

e. Foreclosures may be accepted in certain circumstances with an additional security deposit of \$300 in addition to the regular security deposit.

f. In the case of an applicant being approved with conditions, the applicant will be required to pay an additional \$300 security deposit in addition to the regular security deposit.

7. Landlord References

Applicants' ability and willingness to care for the apartment based on landlord references, credit report and/or home visits will be evaluated during the application process.

- a. Applicants must provide the name, address, and telephone number of all current and previous landlords for the previous two years. Any applicant with a history of eviction, delinquent rent (more than three times in any one year period) or damages may not be accepted.
- b. Your application may be denied if your rental history reflects eviction from a house or apartment for any reason within the past ten (10) years.
- c. Your application may be denied if you have been terminated from a housing assistance program or tenancy has been terminated for fraud, non-payment of rent or failure to cooperate with the Tenant Income Re-Certification process.

8. Criminal History

An Applicant's ability and willingness to abide by the terms of the lease as determined by policy records/criminal history will be evaluated.

- An Applicant with a record of criminal acts against persons or property, drug related criminal activity (including the illegal manufacture, sale, distribution, use or possession of a controlled substance), acts of violence against other persons, or confinement in a correctional facility following conviction for any of the foregoing criminal activities, or serious or repeated disturbances that disturb the livability of a residential property or community, or adversely affect the health and safety of any person, or have an adverse effect on a residential property, or interfere with the management of a property, or interfere with the rights and quiet enjoyment of other residents during the seven (7) years prior to application at Penn Street Tower Apartments may be denied. Specific reasons for a denial of an application due to Criminal History include, but are not limited to:
 - Any application where any household member is subject to State Sex Offender lifetime requirement may be denied residency;
 - Any application where any household member for whom there is reasonable cause to believe behavior from abuse or pattern of abuse of alcohol or other drugs that may interfere with the health, safety, and right to peaceful enjoyment by other residents may be denied based on past behavior, not the condition of alcoholism or addiction;
 - Any application where any household member with pending charges or convictions involving physical violence to person or property, or endangerment of the health, safety or other person with in the last seven (7) years may be denied;

- Any application where any household member with criminal convictions in connection with possession, manufacture, or distribution of a controlled substance within the last seven (7) years may be denied.

NOTE: Anyone with a felony within the last seven (7) years will be automatically denied residency. All other felony convictions will be evaluated on a case by case basis to determine the Applicant's ability and willingness to abide by the terms and conditions of the lease.

Reasonable Accommodation & Reasonable Modification Policy

TWG Management, LLC is committed to the letter and spirit of the Fair Housing Act, which, among other things, prohibits discrimination against persons with disabilities. In accordance with our statutory responsibilities and management policies, we will make reasonable accommodations and/or modifications in our rules, policies, practices, or services, when such accommodations or modifications may be **necessary** to afford persons with disabilities an equal opportunity to use and enjoy their housing community.

Making a Request

If you or a member of your household has a disability and feels that there is a need for a reasonable accommodation and/or modification for that person to have equal use and access to a property managed by TWG Management, LLC community, please complete the "Request for a Reasonable Accommodation or Modification Form" and submit it to the on-site Property Manager. If you cannot fill out the form yourself, you may have someone assist you. Although you can make verbal requests, it is recommended that you make requests in writing so you and the Property Manager have a record of the request.

Verification & Documentation

YOU ARE NOT REQUIRED TO DISCLOSE THE NATURE OF THE DISABILITY. However, management may require that you provide written verification that a household member has a disability and that the accommodation/modification is necessary to give that resident equal opportunity to use and enjoy the housing community. You should ask your healthcare or mental health care provider to send a signed letter on the professional's letterhead to the Property Manager with the following information:

- Name, address and telephone number of the healthcare provider.
- Is the resident disabled as defined by the fair housing laws?
- In their professional opinion, does the resident need the requested accommodation or modification in order to have the same opportunity as a non-disabled person to use and enjoy the housing community?

The Property Manager can also provide you with a form for your healthcare provider to complete as alternative to obtaining a letter. You may request that form from the Property Manager as well.

Provision of Accommodations & Modifications

The Property Manager should discuss your request for a reasonable accommodation/modification with you. In most cases, housing management will provide the reasonable accommodation/modification promptly at management's expense provided proper verification of the need for the accommodation/modification because of a disability has been provided. The Property Manager will provide how and when the accommodation/modification will be provided.

Sometimes, the specific accommodation/modification you request may be difficult, time-consuming or too expensive to provide, and the Property Manager may suggest alternate accommodations or modifications that may work just as well. If you believe the accommodation or modification you have requested is the only one that will work, be prepared to explain why. Have a back-up plan in mind and be willing to discuss alternatives.

If the Property Manager determines that they cannot fulfill the request because it poses an undue financial and/or administrative burden or because it would cause a fundamental alteration in the housing program, they will advise you in writing and offer you an opportunity to make a modified request.

X

Applicant Signature

X

Applicant Signature