

TENANT SELECTION PLAN
Domain Development
DRAFT 07-15-03

SCREENING AND SELECTION PROCESS

This document details the process that will be followed by CMHDC and its management agent in the screening and selection of households to occupy the CHA units of the Domain Development. This entire screening and selection process will be required of all applicants prior to their acceptance for occupancy in the building.

This screening and selection procedure was developed based on standard screening and selection criteria of CMHDC and conforms to HUD's Fair Housing regulations and other applicable CHA policies.

Unit type designation

There are sixteen (16) one-bedroom public housing assisted units. One of these sixteen units is a fully accessible unit. Another one of the sixteen units is designated a visual/hearing impaired unit.

All one-bedroom units are to be occupied by no more than two (2) persons. An occupant(s) could be a single individual, a couple, a parent and a child of the same sex when the child is 5 years or younger, or a parent and a child of different sex when the child is younger than 3 years old.

The priority for occupancy of these units will be given first to former and current residents of Cabrini-Green based upon the terms of the Cabrini-Green Consent Decree and secondly to other CHA developments based upon the terms of the Cabrini-Green Consent Decree and the CHA's Relocation Rights Contract. The Cabrini Consent Decree and Relocation Rights Contract are available for review. Priority for occupancy of the fully accessible and visual/hearing impaired units will be given to residents with disabilities, first within priorities outlined in the Cabrini-Green Consent Decree, who request and exhibit documented need for the features of these units.

I. LEASING PRIORITIES

Applications for public housing units will be processed in order of placement on the Cabrini Lottery or the Housing Offer Process List.

II. NOTIFICATION OF AVAILABLE UNITS

1. CHA will refer to CMHDC 10 families per available unit.
2. CMHDC staff will contact these families in order of their position on the list.

3. CMHDC staff will make the first attempt at contacting eligible applicant households via regular mail.
4. If no response is received within seven (7) business days, the second attempt at contact will be by placing three phone calls to the eligible applicant household. Each phone call will be made on a different day, and the dates and times of each phone call will be documented in the household's applicant file.
5. If, after 5 business days, the second attempt at contact is unsuccessful, CMHDC staff will make the third attempt at contact by registered mail to the address supplied by the CHA and/or the LAC.
6. If, after 5 business days, no response to third contact attempt is received, the family shall be referred back to CHA with an indication that the family has been unreachable.

If an applicant responds within the stipulated timeframe, the applicant will be scheduled to pickup an application package in order to initiate the application process.

III. APPLICATION PROCESS

1. Applicants are provided with an application package, which includes the following: Lease Application, Tenant Release and Consent Form, Income Verification Form and all applicable Rules and Regulations.
2. At the time of receipt of the application package, each of the applicants will schedule an appointment to return the completed package within seven (7) business days of attendance at their orientation session. CMHDC staff will review the package at the time it is returned for completeness.
3. During the application process, the leasing agent will respond to any questions received from applicants made by telephone within 24 hours and within three (3) working days to requests for appointments.
4. Applicant returns the application package and submits evidence of income and photo ID. Applicant must complete and sign authorization forms permitting CHA and CMHDC to conduct criminal background and credit checks and provide information to the CMHDC.

A. REVIEW OF CRITERIA FOR SELECTION

An applicant will be reviewed by CMHDC and/or the Management Agent to determine whether the applicant meets the following criteria for tenant selection.

1. CRIMINAL SCREENING CRITERIA

Five-year criminal background checks will be required for every family member 18 years of age and older. All applicants will be advised at the time of orientation or at the start of the screening process that convictions for criminal behavior will jeopardize admission to the Domain Development.

a. Level One - Exclusions under the Cabrini-Consent Decree

Pursuant to the Cabrini-Green Consent Decree (Section VI (B)(4)(a) and (b)), a Cabrini-Green Consent Decree applicant for housing will be **ineligible** for a replacement unit at the Domain Development if, from the time the applicant/leaseholder and family left their Cabrini-Green unit and until the Cabrini applicant/leaseholder receives a replacement Cabrini unit under the Consent Decree:

- 1) the applicant/leaseholder was **convicted of any criminal activity** that threatened the health, safety, or right to peaceful enjoyment of the premises by other residents or any drug related criminal activity on or off the premises.
- 2) the applicant/leaseholder had a household member, guest, or visitor while under the leaseholder's control, **convicted of any criminal activity** that threatened the health, safety or right to peaceful enjoyment of the premises by other residents, or any drug-related criminal activity on or off the premises. This exclusion shall not apply where the leaseholder agrees to exclude the offending person from the household.

b. Level Two - Exclusions under Federal Regulations

Pursuant to Federal Regulations, a family will also be **ineligible** for housing at the Domain Development if a five-year criminal background check of the applicant or any household member reveals any of the following:

- 1) Drug-related criminal activity that resulted in eviction from public housing within a three year period prior to application for housing at the Domain Development (24 CFR 960.204 (a)(1));
- 2) Conviction for drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing (24 CFR 960.204 (a)(3)); or
- 3) Sexual offenses that resulted in a lifetime registration under a state sex offender registration program (24 CFR 960.204 (a)(4)); and

However, pursuant to Federal Regulations (24 CFR 960.203 (c)(3)(i)), CMHDC may require an applicant to exclude a household member who has participated in or been culpable for the above actions in order to be admitted to the Domain Development.

c. Level Three - Criminal Screening for Other Convictions and Arrests

All family members who are 18 years of age and older will be subject to a five-year criminal background check. In addition to the exclusions outlined by the Consent Decree and Federal Regulations, a family will be **ineligible** for housing at the Domain Development if any member of the household is found to have any of the following types of criminal conviction history:

- 1) Felony convictions;
- 2) Convictions for murder;
- 3) Convictions for and related to physical violence to another person or property, assault, aggravated assault, or activity which would adversely affect the health, safety, or peaceful enjoyment of the premises by other residents, a management company or its employees;
- 4) Convictions for and related to drug-related criminal activity, including but not limited to the illegal manufacture, sale, distribution, possession during the review period;
- 5) Convictions for criminal activity involving a weapon; or
- 6) Convictions for criminal activity that involved arson.

CMHDC will not review mitigating circumstances for the above criminal conviction history within the five-year review period.

d. Limited Mitigating Circumstances

CMHDC **may consider** mitigating circumstances with respect to criminal history that **does not involve convictions** (i.e. arrests) for the offenses enumerated above in subsection (c)(1) through (6). Pursuant to the Federal Regulations, in the event of the receipt of unfavorable information with respect to an applicant or household member, CMHDC shall consider the time, nature, and extent of the applicant's or household member's conduct (24 CFR 960.203(d)) in the following situations.

Specifically, if CMHDC discovers a history of:

- 1) illegal use of a drug or pattern of illegal use of a drug that results in reasonable cause to believe that an applicant or household member may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents (24 CFR 960.204 (a)(2)(ii)); or
- 2) a pattern of alcohol abuse that results in a reasonable cause to believe that an applicant or household member may threaten the health, safety or right to peaceful enjoyment of the premises by other residents (24 CFR 960.204 (b))

In the situations described in the preceding subsections (d)(1) and (2), CMHDC **may consider** the following factors, which might indicate a reasonable probability of

favorable future conduct, in its determination as to whether a household is admitted to the Domain Development:

- 1) evidence of rehabilitation (24 CFR 960.203(d)(1)(i)); and
- 2) evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs (24 CFR 960.203(d)(1)(ii)).

1. Income

The tenant must demonstrate the ability to sustain a monthly rent of at least \$150 (which shall be reduced by \$30 for the tenant's utility cost) by exhibiting a minimum adjusted annual income of \$6,000. All income must be documented with information that is less than 90 days old.

3. Rental History

A strong emphasis is placed on rental history. Applicants are required to have at least two years of rental history in their name. Verification of rental history for the applicant must be provided by the property management company where the tenant resides at the time of the application, and must be completed by an individual who has either direct knowledge of the history of the family, or can base an opinion from reliable written tenant files. If an applicant has just come from college, a verifiable dorm history will be considered. In sufficient rent history may be considered on a case-by-case basis.

4. Credit History

The credit report will be used to evaluate an applicant's ability to open utility accounts and to verify if the applicant has any outstanding rent payments to CHA or a private landlord. Applicants are rejected if an eviction appears on the credit reports which are less than 3 years old. However an applicant maybe excepted from this criterion if the applicant provides sufficient documentation that such judgment was the result of a landlord's or Section 8 program administrator's failure to comply with their respective obligations and CMHDC is able to verify the applicant's claims. Mitigating circumstances will be considered on a case-by-case basis.

5. Home Visit

All applicants who have successfully completed all previous stages of the application review process will be required to submit to a maximum of two home visits by CMHDC staff and possibly additional parties involved in the review process who will be trained to ensure that home visits are completed fully and correctly. The purpose of the home visit is to determine if applicants are currently living in conditions where they have caused health or safety hazards, or have housekeeping habits that contribute to infestation or damage to the property, other members of the household, or other residents of the building. Conditions beyond the control of the applicant will be noted as such and will not be used as a basis for determination of eligibility.

Those applicants who do not pass the home visit will be deferred until they can successfully demonstrate that they have remedied the situation that caused their deferral. They will then receive priority for the next available unit of the size and type that they qualify for according to their position in the lottery.

In addition to passing the home visit inspections, CMHDC must have received written confirmation from the CHA that the applicant has successfully completed CHA's Good Neighbor Program or is in the process of completing such program.

6. Compliant Leaseholder Status

- a. Applicants must be lease compliant in their current and/or last place of residency. Lease compliance is defined below:
- b. Current on all rent and utility payments or is current on a repayment agreement
- c. Compliant with Section II of the A&O Policy, which prohibits unauthorized occupants, as defined in subparagraphs 6(c) and (d) of the Lease, or requires the household to add such occupants in accordance with the Lease.
- d. Leaseholder has a good housekeeping record (Leaseholder has maintained a clean and safe unit) as indicated by the housekeeping inspection reports in the Leaseholder's file.
- e. Leaseholder has not destroyed, defaced, damaged or removed any part of a dwelling unit or development as indicated by the housekeeping inspection reports in the Leaseholder's file, or work orders reflecting a pattern of Leaseholder damage or abuse.
- f. Lease compliance as defined above shall include the period during which the family lives in CHA housing and any period of Section 8 assistance.
- g. Noncompliance with respect to the Lease obligations must be demonstrated by notices of Lease violations and evidence of serious or repeated violations of material terms of the Lease.

B. APPLICATION REVIEW PROCESS

The application review process will be conducted in a timely manner according to the following guidelines. Applications for public housing units will be processed in order of placement on the Cabrini Lottery and Housing Offer Process ("HOP") List. CMHDC or the leasing agent staff compiles the application package which includes the following: files from CHA (if applicable), signed "release and consent form", completed application,

copy of photo ID, copies of two most recent pay stubs (if applicable), results of credit check, results of criminal background check, employer verification (if applicable), and landlord reference.

1. CMHDC staff will meet with the Resident Representative designated by the LAC to discuss the application, its findings, and recommendations.
2. The Resident Representative will note his/her agreement or disagreement with the CMHDC staff recommendations.
 - a. Applications receiving agreement on a staff recommendation to offer a lease will move on to the final stages of approval and lease-up. CMHDC will notify the CHA's Relocation Department and request final approval to offer the unit to the applicant.
 - b. Applications receiving a recommendation to defer by CMDHC with agreement from the Resident Representative will be referred to the CHA and LAC for services, if applicable.
 - c. Applications receiving "disagree" will be discussed and resolved. If CMDHC still wishes to defer an applicant and the Resident Representative disagrees with this deferral, CMHDC will notify the CHA Relocation Department of the deferral and provide supporting documentation for the CHA's review.

The decision of the Resident Representative on each application will be duly noted and documented by signature.

2. All applicants who successfully completed all previous stages of the application review process will be required to submit to a maximum of two home visits by CMHCD staff who will be trained to ensure that home visits are completed fully and correctly. The purpose of the home visit is to determine if applicants are currently living in conditions that negatively affect the health or safety of others, or have housekeeping habits that contribute to infestation. Conditions beyond the control of the applicant will be noted as such and will not be used as a basis for determination of eligibility.
3. Those applicants who do not pass the home visit will be deferred until they can successfully demonstrate that they have remedied the situation that caused their deferral. They will then receive priority for the next available unit of the size and type that they qualify for according to their position in the lottery.
4. All accepted applicants from the Cabrini Lottery or HOP List will be required to attend an Orientation Workshop prior to lease signing and scheduling of a move-in date. Upon completion of this workshop, arrangements will be made to sign a lease, review forms, and sign all necessary paperwork. At the time of the lease signing, payment of the security deposit must be made in the form of a money order or by certified funds. At the time the keys to the unit are tendered to the applicant, the first month's rent must be paid in the form of a money order or

certified funds.

5. CMHDC will keep a complete tracking report of the ongoing status of any applicants from the Cabrini Lottery or HOP List and submit this to the CHA Relocation Department bi-weekly.

C. DEFERRALS

CMHDC reserves the right to defer any applicant household who is found to have poor housekeeping, a criminal background, rent arrearages, inability to establish utility service, or other good cause, as indicated by CMHDC tenant selection criteria.

If after additional discussion with the Resident Representative, CMHDC still wishes to defer an applicant and the Resident Representative does not agree to such deferral, CMHDC shall notify the CHA Relocation Department of the deferral and provide supporting documentation for CHA's review.

If the CHA determines that the reason for such deferral can be remedied, such an applicant will be offered the ability to remedy the circumstances. Once the issue that caused a family to be deferred is remedied, the family's application will be reviewed in accordance with its position on the Cabrini Lottery or HOP List.

If the CHA determines that the reason for such deferral is unfounded and there are no other impediments to final approval, such an applicant will be approved for occupancy at Domain and receive priority for the next available unit of the size and type qualified for according to their position on the Cabrini Lottery or HOP List.

If the CHA determines that mitigating circumstances exist justifying an approval of an applicant despite the initial deferral reason, such an applicant:

- 1) may be approved for occupancy at Domain and offered the next available unit; or
- 2) may be approved for occupancy at Domain (with or without a probational period) contingent on terms and conditions not included in the standard lease. Any such terms and conditions will be documented in writing.

Upon approval for occupancy at Domain, such an applicant will receive priority for the next available unit of the size and type qualified for according to their position on the Cabrini Lottery or HOP List.

If the CHA determines that the deferral is justified and supports the deferral, written notice will be provided to the LAC of this decision, pursuant to the Cabrini-Green Consent Decree.

If all parties cannot agree on eligibility or deferral of a household, they can petition the

court and CMHDC shall preserve a like-sized, newly developed public housing unit for the family until the Court rules, with no interruption of funds paid to CMHDC as a result of the unit being unoccupied during the pendency of such eligibility dispute. In the case of an initial occupancy, CMHDC will hold a specific unit for a period not to exceed two (2) months. However, regardless of time, if the court favors the applicant, they will receive priority for the next available like unit.

IV. WAITING LISTS – AFTER INITIAL OCCUPANCY OF UNITS

The establishment and management of the waiting list are subject to the provisions of the Cabrini Consent Decree and Relocation Rights Contract. As units become available, after initial occupancy of the units, Management and/or CMHDC will notify the CHA. The CHA will provide Management and/or CMHDC with a list of individuals eligible for one-bedroom units at Domain. Management and/or CMHDC will then process such individuals and determine whether they meet the requirements for occupancy at Domain.