

**DRAFT LEASE RIDER #2
TENANT SELECTION PLAN & CONTINUED OCCUPANCY CRITERIA
RIVER VILLAGE POINTE**

I. APPLICABILITY

This document details the process that will be followed by the CHA or its designated management company in the screening and selection of households to occupy the CHA owned units at the private developments known as River Village Pointe. **All rental applicants** will be required to meet the selection criteria listed in *Section IV.C.* of this tenant selection plan prior to their acceptance for occupancy at River Village Pointe.

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

The "Working to Meet Criteria" listed in *Section IV.C.* of this tenant selection plan are only applicable to public housing residents covered by the Cabrini-Green Consent Decree, the CHA's Relocation Rights Contract (RRC) or the Post 10/1/99 RRC.

II. RIVER VILLAGE POINTE UNIT DESCRIPTIONS

A. Unit type designation

There are 21 CHA owned (public housing assisted) one-bedroom units located in the River Village Pointe. Two of these units are equipped for visually and hearing impaired residents. One of these units is a wheelchair accessible unit.

B. Occupancy standards

The CHA and/or its designated management company will apply the occupancy standards contained in the CHA's Admissions and Continued Occupancy Policy (ACOP) and in any future Board approved versions of this policy to the CHA owned units at River Village Pointe. The CHA and/or its designated management company will also apply a form of the CHA residential lease and CHA procedures to the CHA owned units at River Village Pointe.

III. LEASING PRIORITIES

A. Cabrini-Green Consent Decree Families and the Cabrini Lottery List

Pursuant to the terms of the Cabrini-Green Consent Decree, families listed on the Cabrini Lottery List (Cabrini Lottery Families) have first priority to apply for the public housing units at River Village Pointe. Such families may or may not be current CHA residents. The Cabrini Lottery List is a creation of the Cabrini-Green Consent Decree and is maintained separately from the CHA's Housing Offer Process (HOP) system. The CHA's Relocation department will provide referrals from the Cabrini Lottery List to the designated management company for processing and screening. The CHA also reserves the right to complete the application and screening processing through one of its own departments, as the CHA owns the public housing units at River Village Pointe.

“Cabrini Displaced Families”

The Cabrini Lottery Families include Cabrini Displaced Families and other Cabrini families, as defined by the Cabrini-Green Consent Decree, that have the next priority after Cabrini Displaced Families for new public housing units built under the Cabrini-Green Consent Decree. The Cabrini-Green Consent Decree defines “Cabrini Displaced Families” as all families who resided in the Cabrini Extension North buildings (1015-1017 N. Larrabee, 1121 N. Larrabee, 1159-61 N. Larrabee, 500-502 W. Oak, 1117-1119 N. Cleveland, 1157-59 N. Cleveland, 1150-160 N. Sedgwick and 1158 N. Cleveland) on or after January 1, 1993, except for such leaseholders deemed ineligible under the provisions of the Cabrini Consent Decree (see *Consent Decree page 17, Section VI. B.*).

Deferrals

If a Cabrini Lottery Family applying for public housing at River Village Pointe under the Cabrini-Green Consent Decree is deferred and does not receive an offer of public housing unit at River Village Pointe, the CHA will provide written notice to the Cabrini LAC of such deferral. If the CHA and the Cabrini LAC are unable to reach an agreement as to whether a family should be approved for or denied housing at River Village Pointe, the parties can motion the federal district court to decide the matter. The motion will request an expedited schedule and hearing on the matter.

B. Housing Offer Process (HOP) and Relocation

Upon exhaustion of the Cabrini Lottery List, the CHA can begin referring CHA residents from the HOP database for public housing units at River Village Pointe. The CHA will follow the priorities set forth in the Relocation Rights Contracts and house eligible families in the order of their priority, bedroom size need and assigned HOP number.

1. If an applicant covered by the CHA Leaseholder Housing Choice and Relocation Rights Contract 10/1/99 (RRC) or the CHA Relocation Rights

Contract for Families with Occupancy after 10/1/99 (Post 10/1/99 RRC) does not initially meet the minimum selection criteria upon the initial unit offer, then he/she shall have an opportunity for admission to River Village Pointe by demonstrating that he/she is working to meet the selection criteria (i.e. that the applicant is engaged in activities to meet one or more criteria).

2. If an applicant covered by the RRC or Post 10/1/99 RRC is admitted into River Village Pointe demonstrating that he/she is in the working to meet category during the screening process, then the applicant must meet the selection criteria within a minimum of 12 months of admission into River Village Pointe.
3. If an applicant covered by the RRC or Post 10/1/99 RRC is admitted into River Village Pointe because he/she meets the selection criteria at initial occupancy but falls out of compliance with one of the continuing occupancy criteria, then he/she has a minimum of 12 months to work himself/herself back into compliance.

If the applicant or household fails to reach compliance at the end of the 12 months in #2 or #3 above, the CHA may terminate the River Village Pointe Lease or choose not to renew the River Village Pointe Lease and shall transfer the resident and household to another CHA property at which the resident and household meet that site's property specific admission and continued occupancy requirement.

Applicants covered by the Cabrini-Green Consent Decree will also have the rights set forth in paragraphs 1-3 above.

C. Rejection for Residency

A Cabrini Lottery Family or a RRC applicant shall be rejected for residency if the applicant fails to meet criteria in *Section IV.C.* or fails to be categorized as working to meet the criteria as set forth in *Section IV.C.* of this tenant selection plan. The CHA's designated management company will notify a rejected applicant in writing of its rejection, stating the reason thereof and advising the applicant that he/she may request a meeting with the designated management representative within fourteen (14) days. Within five (5) days of a rejected applicant's request for a meeting, the designated management representative shall schedule a meeting with the applicant to explain the reason for rejection. If the applicant appeals such rejection, the management representative will give the applicant a final decision, in writing, within five (5) days following the applicant's meeting with the Agent. If the CHA or management representative determines that the applicant is not an acceptable resident for the development, the CHA will temporarily remove the application, with justification for denial, from its active file for housing at River Village Pointe.

A RRC Applicant that is not satisfied with the CHA's or management's decision may appeal the decision formally through the CHA's Grievance Procedure. A Cabrini-Green Lottery family may also use the CHA's Grievance Procedure

rather than rely on appeal rights that may be exercised by the Cabrini LAC, as described in Section III. A formal grievance hearing, if granted, will be conducted before an independent hearing officer from the City of Chicago's Department of Administrative Hearings. If the independent hearing officer finds in favor of the applicant and against Management's decision to reject the applicant, the applicant will be placed back onto the list for a unit.

D. Individuals with Disabilities

Exceptions to the order in which public housing applicants are housed will be made in the event that the CHA and/or management needs to match families to ADA accessible or visual/hearing impaired ready units. With respect to the assignment of such units, the CHA will continue to house families who need the features of these units in order of their Cabrini Lottery priority, bedroom size need, assigned Lottery Number, or HOP priority, bedroom size need and assigned HOP number.

IV. GENERAL LEASING AND APPLICATION PROCEDURES

A. Outreach to Families

1. CHA will refer families from the Cabrini Lottery List for screening to the management company. Management staff will contact these families in order of their position on the list. The CHA will provide the Cabrini-Green LAC with list of the names referred to the management company. When the Cabrini Lottery List is exhausted, the CHA will provide the Cabrini-Green LAC with 14 calendar days notice prior to referring families from the HOP List to the management company.
2. Management staff will make the first attempt at contacting eligible applicant households via regular mail. 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.
3. If, after 5 business days, the second attempt at contact is unsuccessful, management staff will make the third attempt at contact by registered mail to the address supplied by the CHA and/or the LAC.
4. 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.
5. 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.

B. 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. Management 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 management to conduct criminal background and credit checks.

C. Selection Criteria

All applicants, including heads of household and other family members, 18 years of age and older will be reviewed by CHA or management to determine whether the applicant meets the following criteria for tenant selection.

1. Maximum Income

- a. The maximum income limit for public housing rental units should not exceed the maximum permitted by law.
- b. If the mixed-income/mixed finance development's financing structure contains tax credits, or other financing programs, the tax credit or other program rules regarding maximum income and eligibility for public housing rental units apply.

2. Minimum Rent

- a. A minimum rent of \$50.00 will be applied to all public housing assisted rental units at River Village Pointe.
- b. Hardship exemption: A hardship exemption shall be granted to public housing residents who can document that they are unable to pay the minimum rent because of a verifiable long-term hardship (over 90 days). Exemption from minimum rent does not mean that the family does not pay

rent. The family is required to pay the greater of 30% of adjusted monthly income or 10% of monthly income. Hardship exemptions will be granted pursuant to the CHA's Procedure on Hardship Exemptions.

3. Minimum Age

An applicant must be a minimum age shall be 18 years-old to be head of household.

4. Rental/Residential History (Two year review)

- a. A credit report will be used to obtain additional information about an applicant's rental/residential history.
- b. Applicants are required to have at least two years of rental history in their name. In cases where an applicant family may not have two years of rental history in their name because the family was "split" from another CHA household as a result of a CHA approved split family transfer executed within the last two years, the CHA or management will also review and consider the rental history of the original leaseholder/household from which the applicant family was split. Verification of rental history for the applicant will be requested from the property management company where the applicant 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. Insufficient rental history may be considered on a case-by-case basis.
- c. CHA or management will verify the past two years of residential history, including any lease violations. If an applicant covered under the RRC or the Post RRC is a current CHA resident and is lease compliant at the time of application to the River Village Pointe development, any lease violation that has either been addressed or explicitly waived in the past two years shall not be a bar to admission.
- d. Applicants who are not current CHA residents, which include those currently residing in the private market with the assistance of housing choice vouchers, can be rejected if there are judgments in favor of a current or past landlord within the past two years. If an applicant has a landlord judgment in the past two years, the applicant must demonstrate one year without a landlord judgment.
- e. Applicants who are currently not CHA residents, which include those residing in the private market with the assistance of housing choice vouchers, will be rejected if an eviction appears on the credit reports or

residential history which are less than two 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 or the judgment was due to no fault of the applicant (e.g., a no fault 30-day notice to terminate) and the CHA or management is able to verify the applicant's claims. Mitigating circumstances will be considered on a case-by-case basis.

5. Credit And Financial Standing (Two year review)

a. Credit History

A 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.

b. Rent

Applicants for public housing assisted units at River Village Pointe must be current in rent and have no rent due to any public housing program.

Working to Meet: An applicant under the Cabrini Consent Decree or the RRC will be considered as "working to meet" this criteria if he/she has a documented history of paying rent and of paying any repayment agreement, if applicable, for one year.

Exception: An applicant covered by the Cabrini Consent Decree or the RRC is excepted from this criteria if he/she entered into a repayment agreement and has been current with payments for the past three months.

c. Utilities

- 1) Outstanding or current delinquent debts owed to a utility provider must be made current prior to approval for admission or the applicant must be current on a payment plan.
- 2) Applicant must be able to obtain utilities in his or her name.

d. Bankruptcy

A credit history will be used to determine whether an applicant has filed bankruptcy within the past two years. The filing of bankruptcy is not a bar to admission. However, information gathered will be used to assess, as part of an overall credit history review, an applicant's history and current ability to pay rent. Such a review includes consideration of payment

history, landlord judgments and prior debts owed to public housing programs.

Applicants may present or be asked to present additional information showing payments of debts, payment plans, or positive credit history since the filing of bankruptcy.

e. Delinquent Debts

- 1) Applicants must owe no debt to any public housing program or the applicant must be current on a payment plan.
- 2) Medical-related expenses and student loans will not be considered.

6. Criminal Background Screening (Five year review)

Five -year criminal background checks will be required for every family member 18 years of age and older seeking to rent a unit at the River Village Pointe development. 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 River Village Pointe Development. Sealed juvenile records will not be reviewed.

Before the CHA and/or management denies admission on the basis of a criminal record, the CHA and/or management must notify the household of the information that provided the grounds for the proposed denial and must provide the subject of the record and the applicant with a copy of the criminal record and an opportunity to dispute the accuracy and relevance of that record.

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

Pursuant to the Cabrini-Green Consent Decree (Section VI (B)(4)(a) and (b)), a Cabrini-Green Lottery Family is **ineligible** for any replacement public housing built under the Cabrini-Green Consent Decree, if they have the following criminal history. Such applicants and/or households are therefore, also **ineligible** for a public housing unit at the River Village Pointe Development, if prior to relocation to a newly developed unit, but after relocation to subsidized unit within the HOPE VI Planning Area or a temporary Section 8 placement or after entry of the Consent Decree (in the case of families residing in a CHA unit) the applicant or household member:

- 1) 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; or
- 2) 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 & CHA's ACOP – Public Housing Families

Exclusions under Federal Regulations

Pursuant to Federal Regulations, the following types of criminal history render an applicant or applicant family **ineligible** for public housing assistance. An applicant or applicant family will therefore, also be **ineligible** for a public housing assisted unit at the River Village Pointe 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 federally assisted housing within a five year period prior to application for housing at the River Village Pointe Development (24 CFR 960.204 (a)(1)); however, the household may be admitted if it is determined that the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program (24 CFR 960.204(a)(1)(i)), or the circumstances leading to the eviction no longer exist (for example, the criminal household member has died or is imprisoned). (24 CFR 960.204(a)(1)(ii)).
- 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));
- 4) CHA and/or management determines that it has reasonable cause to believe that a household member's illegal use of a drug or pattern of illegal use of a drug may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents (24 CFR 960.204 (a)(2)(ii)); or

- 5) CHA and/or management determines that it has reasonable cause to believe that household member's abuse or pattern of abuse of alcohol may threaten the health, safety or right to peaceful enjoyment of the premises by other residents. (24 CFR 960.204 (b))

However, pursuant to Federal Regulations (24 CFR 960.203 (c)(3)(i)), CHA and/or management may require an applicant to exclude a household member who has participated in or been culpable for the above actions in order for the remaining household members to be admitted to the River Village Pointe development.

Exclusions under CHA's ACOP

In addition to the Federal Regulations, the CHA's Admissions and Continued Occupancy Policy (ACOP)(CHA Board Approved 10/21/2003) sets forth the types of criminal history that render an applicant ineligible for public housing with the Chicago Housing Authority. Therefore, pursuant to the CHA's ACOP, the following types of criminal history will also render an applicant or applicant family **ineligible** for a public housing assisted unit at the River Village Pointe Development if a criminal background check of the applicant or any household member reveals any of the following (See ACOP Section II.F.):

- 1) Any household member has ever been convicted of arson or child molestation;
- 2) Any household member has a criminal history in the past five years that involves crimes of violence to persons or property as documented by a police arrest and/or conviction documentation;

Crimes of violence to persons or property would include but not be limited to homicide or murder, destruction of property or vandalism, burglary, robbery or theft, drug trafficking, manufacture, use or possession of drugs, threats or harassment, assault or fighting, domestic violence, weapons offenses, criminal sexual assault, home invasion;

c. Level Three - Criminal Screening for Other Convictions – All Renters

All applicants and 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, the CHA's ACOP and federal regulations applicable to public housing families, an applicant family will be **ineligible** for rental housing at the River Village Pointe 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.

d. Mitigating Circumstances

With the exception of the criminal activities listed in Subsection b above “Level Two – Exclusions Under the Federal Regulations” and convictions for murder; arson; child molestation and assault with a deadly weapon, CHA and/or management may consider mitigating circumstances for criminal activities as provided by federal law and regulations.

The Property Manager may give consideration to factors which may indicate a reasonable probability of favorable future conduct, such as:

- 1) Evidence of rehabilitation, and
- 2) Evidence of the applicant family's participation in social service or other appropriate counseling services programs and the availability of such programs.

In determining whether to deny admission for illegal drug use by a household member who is no longer engaging in such, or for abuse or a pattern of abuse of alcohol by a household member who is no longer engaging in such abuse, the CHA or management may consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully. (24 CFR 960.203 (d)(2)).

7. Employment and Economic Self-Sufficiency

a. Cabrini Consent Decree – “Cabrini Displaced Families”

Pursuant to the Cabrini-Green Consent Decree, 50% of the 700 replacement public housing units built pursuant to the Cabrini-Green

Consent Decree shall be reserved for families that have at least one household member working 30 hours per week, including work through Earnfare, Work First, or any REDI program where the household member is paid wages for his or her work. The remaining 50% or the units shall have no work requirement. (See *Consent Decree, Section II. D. 1*)

Exempt from Employment Requirement

“**Cabrini Displaced Families**” (Priorities 1-3 under the Consent Decree) are defined as all families who resided in the Cabrini Extension North buildings (1015-1017 N. Larrabee, 1121 N. Larrabee, 1159-61 N. Larrabee, 500-502 W. Oak, 1117-1119 N. Cleveland, 1157-59 N. Cleveland, 1150-1160 N. Sedgwick and 1158 N. Cleveland) on or after January 1, 1993, except for such leaseholders deemed ineligible under the provisions of the Cabrini Consent Decree (see *Consent Decree page 17, Section VI. B.*).

Cabrini Displaced Families as defined by the Cabrini-Green Consent Decree are exempt from the employment requirement set forth in this Tenant Selection Plan, with respect to all of the public housing units built under the Decree. The Decree states that any displaced Cabrini family as defined in the Decree shall be eligible for one of the 700 replacement public housing units built pursuant to the Consent Decree even if they are not employed.

Must Comply with CHA’s Economic Independence Policy (EIP)

Although “Cabrini Displaced Families” are exempt from the employment requirement, these households and family members must comply with the provisions of the CHA’s Economic Independence Policy, which complies with federal regulations, in order to remain lease compliant and residents of River Village Pointe.

b. Non Displaced Cabrini Families & Other Public Housing Families

Other Cabrini Lottery families who do not fit the definition of “Cabrini Displaced Families” are required to meet the employment requirements listed below. However, such families may be exempt from these work requirements if, pursuant to the reservation of units for non-working families outlined in paragraph 7a above, there are units available for families who are exempt from the employment requirements.

Non-exempt families must have:

- 1) At least one member of the household must work 30 hours a week. Employment may include work through Earnfare, Work First, or any

REDI program where the household member is paid wages for his or her work.

- 2) If an applicant family is unable to meet the above 30 hours a week employment requirement, all household members above the age of 18 must be engaged in one or a combination of the following activities to meet the 30 hours per week work criterion:
 1. Employment;
 2. Enrollment and regular attendance in an economic self-sufficiency program;
 3. Verified job search and/or employment counseling;
 4. Basic skills training;
 5. Enrollment and consistent attendance in a regular program of education, including GED classes, secondary or post-secondary education, or English proficiency or literacy classes.
- 3) **Exemptions:** The following applicants and household members are exempt from the work requirement:
 - a. Those enrolled and attending high school, college, trade school, or other institution of higher learning as full time students;
 - b. Those age 62 or older;
 - c. Disabled with verification that disability precludes working as reviewed under the CHA's Disability Protocol;
 - d. The primary caregiver of a disabled individual with verification of disability and the status as a caregiver;
 - e. One adult household member who elects to stay home to care for young children, provided there are at least two adults in the household, and at least one of those adults meets the work requirement; or
 - f. Retired and receiving a pension.

8. School Enrollment and Child Care

- a. Applicant must provide documentation that family members over age six (6) and through age seventeen (17) who live in the household attend school regularly.
- b. Adequate day care or supervision must be provided for children under 13 years old.

Working to Meet: Children must be enrolled in school and demonstrate an improved attendance record and children under 13 years old must have adequate day care or supervision.

- c. If a child between the ages of 17 and 18 drops out of school, that child must be engaged in one or a combination of the following activities at least 30 hours per week:
 - 1) Enrollment and regular attendance in a regular program of education, including GED classes, secondary or post-secondary education, or English proficiency or literacy classes;
 - 2) Employment;
 - 3) Enrollment and regular attendance in an economic self-sufficiency program;
 - 4) Verified job search and/or employment counseling; and
 - 5) Basic skills training.

9. 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 management 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.

10. Compliant Leaseholder Status – Applicable to public housing families

- 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 the CHA's ACOP, 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.

V. DEFERRALS UNDER CABRINI CONSENT DECREE

CHA and/or management 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 tenant selection criteria.

The CHA and/or management will notify in writing the the Cabrini-Green Local Advisory Council (LAC) and its counsel of such deferral. The Cabrini LAC will be afforded the opportunity to agree with or rebut the deferral with additional documentation.

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.

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 River Village Pointe and offered the next available unit; or
- 2) may be approved for occupancy at River Village Pointe (with or without a probation 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 River Village Pointe, 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.

As described above, if the CHA or management makes any of the following determination: 1) a deferral; 2) a deferral with an opportunity to remedy the reason(s) for the deferral; or 3) an approval contingent upon terms and conditions, written notice will be provided to the LAC of this decision, including all appropriate documentation supporting the determination pursuant to the Cabrini-Green Consent Decree.

If all parties cannot agree on upon the CHA's or management's determination, they can petition the federal district court. In the case of such a dispute at the time of initial occupancy, CHA and/or management 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.

VI. GRIEVANCE PROCEDURE

Applicants for and occupants of public housing units at River Village Pointe shall use the CHA Grievance Procedure. A copy of the CHA's Grievance Procedures is attached hereto as Exhibit A.

VII. WAITING LISTS – AFTER INITIAL OCCUPANCY OF UNITS

The establishment and management of the waiting lists are subject to the provisions of the Cabrini-Green Consent Decree and Relocation Rights Contract. As units become available, after initial occupancy of the units, the CHA will provide management with the appropriate list of individuals eligible to apply for the public housing assisted units at River Village Pointe. Management will then process such individuals and determine whether they meet the requirements for occupancy at River Village Pointe.

Leaseholder Signature: _____ **Date:** _____

Management Signature: _____ **Date:** _____