

# HILLS AT FAIRINGTON

## TENANT SELECTION PLAN

5959 Fairington Road  
Stonecrest, GA 30319  
Phone: (770)981-8233 TTY: 711

Hills at Fairington is comprised of 1-bedroom, 2-bedroom and 3-bedroom apartments. Most apartments are subject to Federal Low Income Housing Tax Credit (LIHTC) eligibility requirements. There are two different project-based programs through the Housing Authority of DeKalb County (HADC). This consists of Forty-nine (49) Rental Assistance Demonstration (RAD) vouchers and Ninety-one (91) Project-based Vouchers (PBV).

### ELIGIBILITY REQUIREMENTS

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Households applying for residency must meet the following criteria:

- Income Requirements for Market Rent Apartments – The household must have verified income of at least two and one half (2 ½) times the monthly rent amount unless the household is applying for a subsidized apartment.
- Income Requirements for LIHTC Apartments
  - The household must meet the LIHTC financial criteria for housing (60% of area median income or less).
  - The household must have verified income of at least twice the amount of rent for the apartment for which they are applying unless the household is applying for a subsidized apartment.
- The apartment must be the household's only residence.
- The household must disclose and provide verification of the Social Security Numbers of all household members. Refer to the SOCIAL SECURITY NUMBER REQUIREMENTS section for additional information.
- All adult household members must sign a *Tenant Release and Consent* prior to tenancy and annually thereafter.
- Household members must provide consent to verify all information reported by the household.
- The household must be of an appropriate size for the available apartment. Refer to the OCCUPANCY STANDARDS section for additional information.

### INCOME LIMITS

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There are several different maximum income levels at **Hills at Fairington**, based on the Area Median Income (AMI) as determined each year by the U.S. Department of Housing and Urban Development (HUD). Income Limits are published by HUD at <http://www.huduser.org/portal/index.html> and are subject to change without notice. Applicants can call the property manager at the number above to inquire about current income limits.

Hills at Fairington consists of the following mix of apartments based on Income Limits:

Bedroom(s)	Units	% of AMI
One	22	60%
Two	313	60%
Three	71	60%

### OCCUPANCY STANDARDS

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Management reserves the right to limit the number of individuals residing within a single apartment. Consideration is given to overcrowding and underutilization factors as well as compliance with federal, state, and local laws. Generally, the acceptable number of persons per apartment, depending on household composition, will be:

1-Bedroom Apartments:	1-3 people
2-Bedroom Apartments:	2-5 people (2 people minimum)
3-Bedroom Apartments:	3-7 people (3 person minimum)

Due to restrictions in the Low-Income Housing Tax Credit program, households may not add a new member during the first year of residency. Any household wishing to add a member after the first year of residency must have the proposed new member of the household complete all application materials and must receive management approval prior to adding the member to the household or moving into the apartment.

### **SOCIAL SECURITY NUMBER REQUIREMENTS**

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Applicants are not required to have or disclose their Social Security Number (SSN) in order to be placed on the wait list. However, each member of the applicant household must disclose and provide verification of their Social Security Number (SSN) before the household may be housed. Households may retain their place on the wait list if all household members required to disclose a SSN cannot do so at the time an apartment is offered. In this case, the household will have 90 calendar days to disclose and provide verification of all SSNs. If all SSNs are disclosed and verified within 90 days, the household will be offered the next available unit. If all SSNs are not disclosed and verified within 90 calendar days of the date an apartment is offered, the application will be cancelled, and the household will be removed from the wait list.

The documentation required to verify the SSN is a valid Social Security Number card issued by the Social Security Administration, an original document issued by a federal or state government agency with contains the name and SSN of the individual along with identifying information of the individual, or any of the following: Work Visa, Alien Registration Receipt Card, Temporary Resident Card, IRS Individual Taxpayer ID Number, or Employment Authorization Card.

### **WAITLIST FOR SUBSIDIZED APARTMENTS(LIHTC, RAD, and PBV)**

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As a PBV partner who has elected to keep the property waitlist open, applicants will be selected solely using date /time stamp chronological selections from the waitlist. As a PBV partner property, different waitlists will be established for each bedroom type. Individuals will only be pulled based on their family qualification of the subsidy standard. Applicants may request an application in person, by mail, or by telephone. Applications will be accepted from all interested persons during regular business hours. In addition to providing applicants the opportunity to complete applications at the project site, the Property may also send out and receive applications by mail. The Property shall accommodate persons with disabilities who, as a result of their disabilities, cannot utilize the preferred application process by providing alternative methods of taking applications. They will be screened for eligibility and all eligible applicants will be placed on a waiting list in chronological order if the appropriate size unit is not available. The application must be signed and dated by the applicant(s) and the person accepting the application, and the date and time recorded on the list.

***Applications cannot be accepted if they are not filled out completely.*** The applicant must be advised, by mail, that the application is incomplete and request the required information. If the application is hand-delivered, it will be reviewed while the applicant is present to assure it is complete.

An application status letter will be mailed to all applicants approximately every six months. The applicant must contact the office each time they receive this letter to remain on the list.

**Hills at Fairington** uses the provided wait list for subsidized apartments. Those selected from the wait list will be notified in writing of an appointment to determine LIHTC eligibility. The household must meet the eligibility requirements set forth by the Georgia Department of Community Affairs for Project-based Section 8 subsidy in addition to meeting the LIHTC requirements for housing.

## WAIT LIST ORDER AND MAINTENANCE

The wait list for Low Income Housing Tax Credit unsubsidized apartments in addition to the two Project based programs offered through the Housing Authority of DeKalb County (HADC) and Georgia Department of Community Affairs (DCA) are always open. It is the company policy that no Waiting Lists will be closed.

Applicants must notify management if any of the following changes occur:

Address or phone number	Income	Qualifications for a preference
Household composition	Criminal History	

Applications will be removed from the wait list if:

- The household no longer meets the eligibility requirements for the property or the project.
- The household fails to respond to a written notice requesting a response within the **15** days allotted as indicated in the notice.
- The household is offered and rejects **two** units on the property. See the RIGHT OF REFUSAL section for further details.
- Mail sent to the address listed on the application is returned as undeliverable.
- Changes in household size put the applicant household outside of the minimum or maximum occupancy standards.

Once each year, applicants who have been on the wait list for longer than 6 months will receive a letter asking the household to confirm its continued interest in remaining on the wait list for the property. Applicants must respond to the letter in the time frame indicated to maintain their position on the wait list. Applicants who do not respond in the timeframe indicated, or whose letter is returned as undeliverable, may be removed from the wait list.

## ELIGIBILITY OF STUDENTS

Households comprised of full-time students, as defined by LIHTC rules, are not eligible for LIHTC housing at **Hills at Fairington**, with the following exceptions:

1. At least one individual is receiving assistance under Title IV of the Social Security Act (i.e. TANF);
2. At least one individual is enrolled in a job training program receiving assistance under the Workforce Investment Act or under other similar federal, state, or local laws;
3. The household consists of a single parent and his/her dependents, where neither the single parent nor their children are dependents of another individual (other than a parent of such children).
4. The household consists of persons who are married and eligible to file a joint tax return;
5. At least one individual was previously under the care of a state foster care program.

Documentation will be required to verify exceptions to an all-student household.

## PROCEDURES FOR ACCEPTING APPLICATIONS AND SELECTING FROM THE WAIT LIST FOR UNSUBSIDIZED HOUSING

The application process has two phases. The first phase requires completion of the *Preliminary Application* and all required attachments. The second phase requires completion of the *Move In Application* and all required attachments and forms. The second phase is initiated when the applicant is nearing the top of the wait list.

### Phase One

The *Preliminary Application* package includes the following forms which must be completed and submitted to the management office to be considered for placement on the wait list. Incomplete, inaccurate, or illegible forms will be returned to the applicant.

- *Preliminary Application* – this form must be completed and signed by all adult household members.
- *Household Demographics* – Completion of the race and ethnic data on the form is optional, but each

household member must sign this form, even if they choose to leave the data blank.

- *Student Certification* – All applicants must complete this form regardless of student status
- *Tenant Selection Plan* – Applicants should review this Tenant Selection Plan and retain it for their records. It does not need to be signed or returned to the office.

Applicants indicating on the application form that they require an apartment which is accessible to persons with a mobility, hearing, or visual disability, or requesting any other reasonable accommodation for a disability, will be contacted for additional information, and will be asked to sign verification documents per the Reasonable Accommodation Policy. This information will be added to the application in order to offer the applicant an apartment that meets their needs.

If the information provided on the *Preliminary Application* form indicates that the applicant meets the eligibility criteria, then the first phase of the application is complete and the applicant will be placed on the wait list in chronological order according to the date and time the management office received the completed application materials, unless the applicant household is applying for a subsidized apartment and qualifies for a preference. Applicants will be notified by mail that they have been added to the wait list.

### **Phase Two**

When the applicant is nearing the top of the wait list, the household will be notified of the scheduled certification interview by mail. During the interview, the household will pay the applicable application fee of \$15.00 and complete all remaining application and certification forms, including forms to verify income and assets, landlord reference forms, personal or professional references, and release of information forms. Photo ID and verification of Social Security Number must be provided and will be used to conduct a background check including criminal, eviction, and credit history.

As part of the onsite application process, once applicant(s) have been screened for income and unit subsidy screening, the property will send all corresponding documentation for eligibility review to HADC. Additionally, HADC will confirm proper waitlist management during eligibility review from the property. When a property submits an individual for eligibility determination, the Housing Portfolio Coordinator or equivalent, will check the waitlist order placement while the Housing Specialist process the individual's eligibility. This may happen chronologically or simultaneously.

### **UNIT OFFER**

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Applicants will be contacted by mail when a unit is available and must respond within **15** days to either accept or reject the unit. Refer to the RIGHT OF REFUSAL section for further information.

It is important that applicants inform the office of any changes to mailing address or phone number so management can reach the applicant when their application nears the top of the wait list. Failure to respond to the unit offer may result in the application being cancelled.

### **TENANT SCREENING CRITERIA**

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#### **Application Criteria**

- Applicants must meet all criteria listed in the ELIGIBILITY REQUIREMENTS section of this document.
- Applicants must provide all required documentation and information, sign all required documents, and update management with any changes to contact information within requested timelines.
- Applicants must not submit false or incomplete information in the application process.

#### **Rental and Credit History Criteria**

- Applicants must demonstrate history of paying rent in full and on time. If the applicant(s) has no rental history, a credit check must show no excessive unpaid amounts for utilities and/or other bills.
- References from landlords from the past two years must be clear of any disinclination to rent to

applicants again due to failure to pay rent or other charges, damage to the premises, or disturbances to the peaceful enjoyment of the premises.

- Applicants must have no history of unlawful detainers or eviction proceedings for non-payment or other lease violations against any household member within the three years prior to being offered an apartment. In the event that eviction proceedings were due to lease violations caused by a previous household member who will not be part of the applicant household, the applicant household must provide an explanation of the circumstances along with supporting documentation for review by management.

### **Public Records Screening**

Public records screening criteria are designed to help ensure the safety and protection of people and property.

- An application may be denied if applicant or any household member demonstrates abusive or violent behavior that may pose a direct threat to the health, safety, or welfare of residents, the public, or staff.

The U.S. Department of Housing and Urban Development prohibits the following persons from receiving federally subsidized housing:

- Any household containing a member(s) who was evicted in the last three years from federally assisted housing for drug-related criminal activity. Two exceptions may be considered: 1) The evicted household member has successfully completed an approved, supervised drug rehabilitation program; or 2) The circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household).
- A household in which any member is currently engaged in illegal use of drugs or federally controlled substances or for which there is reasonable cause to believe that a household member's illegal use or pattern of use of illegal drugs or federally controlled substances may interfere with the health, safety, and right to peaceful enjoyment of the property by residents, staff, or guests (CFR 5.854)
- Any applicant or household member who is subject to lifetime registration requirements under any State sex offender registration program; or (CFR 5.856)
- Any household member if there is reasonable cause to believe that a member's behavior, from abuse or pattern of abuse of alcohol, may interfere with the health, safety, and right to peaceful enjoyment by other residents. (CFR 5.857)

### *Further screening criteria include:*

- Applicants with any drug-related misdemeanor convictions for manufacture, distribution, or possession with intent to distribute within the past two years must complete the individual assessment process before being considered for housing.
- The following requires ten years free of criminal convictions immediately following the most recent conviction:
  - A single misdemeanor or gross misdemeanor conviction for assault (without a weapon), disturbing the peace, property crimes, or other convictions, except traffic violations.
- The following requires ten years free of criminal convictions immediately following the most recent conviction:
  - A single drug-related felony conviction,
  - A history of multiple misdemeanor or gross misdemeanor convictions for assault (without a weapon), disturbing the peace, property crimes, or other convictions, except traffic violations.
  - A single incident of felony assault
  - Conviction of sexual assault, domestic violence or abuse, elder abuse, or child abuse
- The following requires ten years free of criminal convictions immediately following the most recent conviction, and also requires an Individual Assessment by management.
  - Any violent felony not previously addressed

- A history of multiple felony assaults and/or violent crimes
- Any conviction for violence involving a weapon of any kind
- Conviction of a hate crime
- Applicants and all household members with a criminal record of any offense(s) not listed above may request an individual assessment process. Please request information about this process from the management office.

### **VICTIMS OF DOMESTIC VIOLENCE**

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An applicant's or a tenant's status as a victim of domestic violence, dating violence, or stalking is not a basis for denial of rental assistance or for denial of admission, if the applicant otherwise qualifies for assistance or admission.

### **REJECTION OF INELIGIBLE APPLICANTS**

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Applicants who do not meet the screening criteria will be notified in writing why they will not be accepted as tenants. They will be given an opportunity to meet with the Property Manager to discuss any questions they have regarding the screening criteria or to appeal the decision by presenting additional information relevant to the screening process.

If a unit was offered to the applicant prior to the denial of application, the unit will be offered to the next person on the wait list. However, if the applicant presents additional information that mitigates the reason for rejection, the household may be re-instated on the wait list at the position they held when the rejection was made.

### **RIGHT OF REFUSAL**

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An applicant may turn down the offer of a unit for which they are eligible one time and retain their position on the wait list. If an applicant turns down a unit for which they are eligible a second time, the application will be cancelled, and the applicant will be removed from the wait list. The applicant may reapply.

There is one exception to this policy. An applicant who requires a unit designed for mobility access, or a unit with auditory/visual accessibility features may be offered apartments without those features and may turn down those apartments without losing their place on the wait list. When offered an accessible unit that meets the applicant's stated requirements, the applicant may turn down the offer of the first accessible unit and retain their position on the wait list, but if they turn down a second accessible unit, the application will be cancelled, and the applicant will be removed from the wait list. The applicant may reapply.

### **UNIT TRANSFER POLICY**

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Transfers between apartments with the same number of bedrooms are facilitated only as a Reasonable Accommodation and only based upon the verified need for specific features in the unit. Transfers based on a Reasonable Accommodation take priority over new applications. Transfers for project-based section 8 units also require the Housing Authority of DeKalb County approval of a reasonable accommodation.

For accessible apartments, when there is neither a qualified applicant nor a current tenant with disabilities requiring the accessibility features of the apartment, management may offer the apartment to another household, providing that the household enter into an agreement that they will transfer to a non-accessible apartment within the same project if another household requires the features of the accessible apartment.

Transfers from a 2-bedroom to a 1-bedroom apartment are required if the household no longer meets the minimum of two (2) household members required for a 2-bedroom apartment, and if the household meets eligibility and qualification requirements for the 1-bedroom per the LIHTC program.

Requests to transfer from a 1-bedroom to a 2-bedroom apartment will be considered after the first full year of residency, and only if household composition changes (increases). The household must be in good standing

with no late/past-due rent notices or lease violation notices within the past 12 months. The household must meet eligibility and qualification requirements for the new apartment, including requirements of the LIHTC program.

### **REASONABLE ACCOMMODATION**

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Applicants with disabilities retain the right to request reasonable accommodations in rules, policies, practices, or services including those pertaining to the application process, and retain the right to request reasonable modifications to their apartment or common areas if such accommodations or modifications are necessary to afford the applicant equal opportunity to enjoy the premises. Requests for reasonable accommodation or modification should be made to management. The applicant will be asked to provide information to help verify disability and/or the need for the requested accommodation or modification. A written response will be sent to the applicant within 14 days of the request.

### **LIVE-IN AIDES/ATTENDANTS**

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Live-In Aides/Attendants must complete a *Live-In Aide Application* and all required forms and attachments and be approved by management prior to occupancy. Live-In Aides/Attendants must pass all screening criteria except the criterion to pay rent on time, as they are not responsible for rental payments. Live-In Aides/Attendants will be required to provide identification and proof of SSN in order to conduct the screening.

Live-In Aides/Attendants in project-based section 8 units must also be approved by the Housing Authority of DeKalb County.

### **MARKETING**

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The property is marketed via Housing Authority of DeKalb County website, Housing Development Corporation website, and flyers placed in the surrounding community and sent to community organizations in accordance with the approved HUD Affirmative Fair Housing Marketing Plan. Advertising targets individuals whose annual income is at the extremely low-income level for the area. Management maintains contact with community groups and organizations that work with persons who are least likely to apply.

### **FAIR HOUSING AND EQUAL OPPORTUNITY**

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The owners and management of **Hills at Fairington** comply with all federal, state, and local housing and civil rights laws. Federal law prohibits discrimination based on race, color, creed, religion, sex, national origin, age, or handicap. Administrative procedures further prohibit discrimination based on certain class memberships.

Management promotes and provides equal housing choice for all prospective and current tenants regardless of race, color, religion, creed, national origin, gender, gender identity, sexual orientation, handicap, familial or marital status, or membership in any class of persons.

All of the above requirements apply to the acceptance and processing of applications, selection of tenants from among eligible applicants on the waiting list, assignment of units, and the certification and recertification of eligibility for housing assistance.

### **SECTION 504 AND GRIEVANCE PROCEDURE FOR DISABILITY DISCRIMINATION**

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**Hills at Fairington** 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.

According to Section 504 of the Rehabilitation Act of 1973, “no otherwise qualified individual with disabilities in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance...”

If at any point during the application process an applicant feels they have experienced discrimination based on disability, they may file a grievance. 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). Please contact her in writing\* to file your grievance. She will respond in writing within 10 days from the date of the grievance.

Compliance Department  
Barr Residential & Development, LLC  
980 Cipriana Drive, Unit A-1  
Myrtle Beach, SC 29572

If you would like an additional review of your grievance and the response from the Section 504 Coordinator, please contact the Regional Property Manager in writing\* at the address listed above.

At any time during this process, you have the right to file a Fair Housing Complaint with the Fair Housing and Equal Opportunity office of HUD at 888-877-0246.

#### **GRIEVANCE PROCEDURE**

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If the applicant wishes to appeal the decision denying tenancy, they must contact management within fourteen (14) days from the date of the denial letter to request a meeting to discuss the reasons for the denial and/or to present additional information. The Regional Property Manager will consider all new information and, within five (5) business days of the meeting, will send written notification of their decision to approve the application or retain the denial.

If the applicant would like an additional review of all file information, they should write\* to:

Compliance Manager  
Barr Residential & Development, LLC  
980 Cipriana Drive, Unit A-1  
Myrtle Beach, SC 29572

*\*Persons with a disability may request a reasonable accommodation in order to meet this requirement.*