



# RIVERTOWN APARTMENTS

## Tenant Selection Criteria

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Rivertown Apartments is located at 1340 Hope Drive in Santa Clara, CA. The property has 100, two and three bedroom units and is administered under the Low Income Housing Tax Credit program. Section 8 Vouchers are welcome. The property is managed by FPI Management, Inc., and does business in accordance with Fair Housing Amendment Acts (FHAA). The company does not discriminate against applicants or residents on the basis of race, color, creed, religion, sexual orientation, gender identity, national origin, age, familial status, disability or socioeconomic class, or any other protected classification.

To ensure that all prospective residents are provided an equal opportunity to reside at Rivertown Apartments all applicants undergo an evaluation process to meet our tenant selection criteria that includes a credit/eviction report, background criminal check, and two (2) years acceptable landlord references. Applicants must also meet established occupancy standards and have income that does not exceed the applicable maximum area income limits. Households who do not meet these criteria will not be eligible. A minimum income of at least two times the rent is also required. (Minimum Income not applicable for section 8 voucher holders).

### **SECTION I: APPLYING FOR AN APARTMENT**

1. **Outreach:** Applications will be accepted from all eligible applicants seeking admission to Rivertown Apartments when the waiting list is open. Eligibility will be assessed based on the information provided on the rental application.
2. **Rental Application:** A Rental Application must be completed for each person age 18 or older. Rental Applications must be completed legibly, accurately, and in its entirety, to be considered. Incomplete or falsified applications will be denied. Applicants must submit a copy of a government issued picture identification for each applicant and a copy of the Social Security card or ITIN for each applicant, and any other documents that may be required by the program.
3. **What is Collected with Rental Application when being processed for Vacancy:**
  - Applicants pay \$30 for each adult applicant in a form of only a money order or cashier's check. This fee is **only** collected when being processed for a current vacancy.
  - Sign and date all authorization to release information form(s) for each applicant.
  - Three (3) current consecutive months' worth of pay stubs for each applicant employed. Social Security award letter or any other source of income verification.
  - Most current bank statement for each bank account for each applicant.
  - And any other documents that may be required by the program.
4. **Waiting List:** Names will be drawn from a current site based waiting list or on a first come first serve basis if no waiting list is available.
  - In instances where the vacant unit is an accessible wheelchair modified unit, disabled residents requiring the modified unit features will be given preference, following the same criteria described in Section I.



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- The Community Manager will process applicants for vacancy. Applicants will be given seven (7) calendar days to respond from the date Community Manager contacts applicant. Those who do not respond within the seven (7) calendar days will be removed from the waiting list.
  - The Community Manager will process applicant's information by using the tenant selection criteria described herein.
5. **Transfer List:** Apartment transfers are only approved when a household's size changes and they no longer meet the occupancy standards; either under or over housed, or as a reasonable accommodation to accommodate a disability. Persons with disabilities who require a modified apartment will be given preference for the modified apartment when it becomes available. All apartment transfers must be approved by the Regional Manager.

### **SECTION II: TENANT SELECTION CRITERIA:**

#### **1. Credit and Unlawful Detainer Action Reports:**

- A Credit, Unlawful Detainer Action, and Criminal Background report will be requested on all adults listed on the application.
- A copy of the report will be made available to the Applicant upon request.
- The lack of credit history will not be a basis for denial.
- The credit report will be obtained through On-Site.com. An unsatisfactory credit history will disqualify an applicant from renting an Apartment. An unsatisfactory credit history is one that reflects past or current bad debts, late payments or unpaid bills, liens, judgments or bankruptcies (within the last 7 years). If an applicant is rejected for poor credit history, the applicant will be given the name, address and telephone number of the credit reporting agency that provided the credit information, as required by the FCRA.

#### **RIVERTOWN APARTMENTS criteria are as follows:**

When scoring credit, the On-Site.com model will take into consideration several variables to determine an applicant's willingness and ability to pay their rent. The On-Site.com model has been specifically developed to assess credit worthiness of applicants. Below are a few examples of the variables that will be taken into consideration. A combination of all the variables is what determines the On-Site.com score.

- Income to Rent Ratio - measures the ability to handle rent payments (set per property).
- Income to Payment Ratio - measures the ability to handle indebtedness and ability to pay average monthly bills and monthly rental payment.
- Number of Recent Credit Inquires - measures desire for new credit & potential over extension.
- Average Age of Trade Lines – measures performance since establishment of credit.
- Revolving Debt to Limit – measures the ability to absorb cash flow difficulties.
- Percent of Bankcard Trades Relation to Total Trades – measures applicants' previous credit behavior.
- Total Trade Lines – measures responsible use of credit.
- Percent Never Delinquent – indicator of negative credit performance.
- Bureau Scores – measures general credit risk.



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- Number of Major Derogatory Items – flags serious credit issues.

### **RIVERTOWN APARTMENTS uses the following tier Approval levels:**

**Accept:** Application will be approved if all other program eligibility requirements are met.

**Accept with Conditions:** Application may be approved with an additional security deposit of one month's rent, if all other program eligibility requirements are met.

**Declined:** Applicant is determined to be ineligible.

Applicants will be declined if they have a public record of an unlawful detainer action or eviction, owe money to another landlord or apartment community, and/or have any negative rental history. No exceptions.

Applicants falling within the "Accept with Conditions" tier may be admitted if there are mitigating circumstances regarding the poor credit history. Approval to accept an applicant at this level is given by the Regional Manager.

Applicants who are declined will be given a Notice of Adverse Action communicating the reason for the declined application. Applicants may appeal the rejection, in writing, within seven (7) days of the date on the notice. The written request must be mailed to: Rivertown Apartments, and will be reviewed by the Regional Manager.

- 2. Criminal Background Check:** A criminal background check will be conducted on all adults in the household through On-Site.com. On-Site.com looks at criminal activity for the last 7 years. Anyone who has a felony conviction or other criminal activity, to include, drug related activity, and/or misdemeanors considered to be a threat to the property or the residents, will be denied tenancy.

On-Site.com also performs a National Sex Offender, Terrorist, and Most Wanted search with every criminal state processed.

Applicants who are denied will be given a Notice of Adverse Action.

Applicants may appeal the rejection, in writing, within seven (7) days of the date on the notice. The written request must be mailed to: Rivertown Apartments, and will be reviewed by the Regional Manager.

- 3. Landlord References:**

- All references provided by the applicant will be verified in writing. If attempt to collect it in writing is unsuccessful, telephone verifications may be used, but only after a thorough attempt to collect it in writing has been completed by Management.
- 2 years residential history is required and all residential history will be verified.
- Unfavorable landlord references will be basis for denial of tenancy.



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- 4. Initial and Continued Income Certification:** Eligibility to reside at Rivertown Apartments is based on information that applicant has provided to Management regarding household income and assets. Employment and/or other sources of income, including earned income must be verified by a third party to ensure the applicant meets income requirement. Once a household is accepted for tenancy the household will be required to recertify their income and assets at least once each year prior to their anniversary date of move-in. If resident fails to comply a notice of termination of tenancy will be issued to the resident.
- 5. Unit Inspections:** Once a household is accepted for tenancy an inspection of the dwelling unit will be conducted at move-in and annually thereafter. Additional unit inspections may be required. All inspection dates will be notified in advance with at least a 24 hour notice.

### **SECTION III: OCCUPANCY AND INCOME REQUIREMENTS:**

- 1. Occupancy Standards:** One-Bedroom: Minimum 1 person, Maximum 3 persons. Two-Bedroom: Minimum 2 person, Maximum 5 persons. Three-Bedroom: Minimum 3 persons, Maximum 7 persons. Four-Bedroom: Minimum 4 persons, Maximum 9 persons. No more than 2 persons will be required to share a bedroom.
- 2. Bedroom Size:** When assigning an apartment, every household member, is to be counted for determining bedroom size. If a household indicates a bedroom size for which they are not eligible because of their household size, the bedroom size for which they are eligible for will be offered, if available.
- 3. Income/Program/Rent & Security Deposit Requirements:** Matrix of Restrictions under the Low Income Housing Tax Credit Program, and any other City or State funded program for Rivertown Apartments is made available to each applicant at the time application is submitted, or any time a request is made, and is subject to change.

### **SECTION IV: APPLICATION/INTERVIEW PROCESS**

- 1. Taking Applications:** For every vacancy available, an application will be processed. Names will be drawn from the waiting list and processed as described in Section I-4.
- 2. Procedures Governing Receipt of Application:** The rental application constitutes the basic record of each household applying for admission to Rivertown Apartments. Each applicant will be required to sign and date the rental application attesting to the accuracy of the data provided, and provide documentation as needed to verify the information supplied on the rental application. The Rental Application should be completed in ink, indelible pencil, or typed. Corrections and/or changes are to be made by lining through the original entry and entering correct information. Any corrections and/or changes must be initialed and dated by the applicant.
- 3. Application Interview:** Applicants will be interviewed in person at Rivertown Apartments. During the interview the Community Manager and/or other Management



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Representative will do the following:

- Review, confirm and update all information provided on the Rental Application.
- Collect the required signatures on third party verification forms, authorization to release information forms, and collect all other necessary documents to determine income eligibility.
- Explain to the applicant the program requirements, verification process, and the consequences for submitting false information, to include denial of tenancy, fines, and possible imprisonment.
- If the applicant declines the unit any time after the interview the applicant will be removed from the waiting list.

4. **Rental Application Determination Notice:** Applicants who are declined for renting a dwelling unit at Rivertown Apartments will be given a letter identifying the reason(s) for disqualification. Applicants may appeal, in writing, within seven (7) calendar days from the date on the notice. The written appeal request must be mailed to: Rivertown Apartments and will be reviewed by the Regional Manager.

Appeal Process: The Regional Manager will respond in writing within seven (7) calendar days of receiving the written appeal or meeting with the applicant. In the interest of minimizing vacancies, no unit will be held for an applicant once the "Adverse Action Notice" has been given. However, should the Regional Manager determine that the Applicant is qualified for tenancy, or if another applicant has already been accepted for tenancy for the available unit before the review process has been completed, the applicant's name will be replaced in its original position on the Waiting List, without prejudice.

5. **Additional Factors that may disqualify an applicant:**

- Management reserves the right of disqualification to ensure agreeable and pleasant surroundings for all residents. An applicant can be disqualified if they display, or have displayed behaviors that contravene or would contravene the rules and regulations of the property.
- An applicant must complete/provide and return all the paperwork requested within the stated deadlines or will automatically be passed over for the next applicant in chronological order. Three (3) full business days, from the time the information is requested, will be given to the applicant to submit the information. If the applicant is passed over they will remain the next household in chronological order until they provide the information. After 7 calendar days from the initial request the applicant will be considered declined unless a written extension has been given by the Regional Manager.

### **EXCEPTIONS:**

- a) All exceptions to these policies and procedures must be approved by the Regional Manager in writing.
- b) Additional exceptions will be made as regulatory agreements may require.



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6. **Grievance and Appeals Procedure:** Management has adopted a procedure in accordance with applicable state or federal Program Regulations for the resolution of disputes arising out of this Rental Agreement or Resident's occupancy of the premises. The procedure establishes Resident's right to a hearing on grievances related to Resident's occupancy and appeal of Management's decisions regarding Resident's occupancy, including notices of termination and eviction.

Management has elected to determine that this grievance procedure shall not be applicable to any termination of tenancy or eviction that involves criminal or drug related activities. A copy of the Grievance and Appeals Procedure is available upon request.

### **SECTION V: ADDITIONAL INFORMATION**

1. **Non-Smoking Community:** Rivertown Apartments has been designated as a non-smoking living environment. Resident and members of Resident's household shall not smoke anywhere in the apartment rented by Resident or the building where the Resident's dwelling is located or in any of the common areas or adjoining grounds of such building or other parts of the rental community, nor shall Resident permit any guests or visitors under the control of Resident to do so. Resident shall inform Resident's guests of the Non-Smoking policy. No-Smoking signs are posted at entrances and exits, common areas, hallways and in conspicuous places adjoining the grounds of the apartment community. Smoking is prohibited within 25 feet of the Apartment Community.
2. **Reasonable Accommodation/Fair Housing:** Section 504 of the Rehabilitation Act of 1973 prohibits discrimination in all HUD subsidized or assisted housing programs solely on the basis of disability. This rule covers all persons associated with the programs including applicants, vendors, tenants, employees and prospective employees. Please inform our office should you require a Reasonable Accommodation.
3. **Disclaimer:** The processing and acceptance of the Rental Application and its application fee does not constitute a guarantee of acceptance for housing at Rivertown Apartments . All applicants must undergo and pass the tenant selection, program, and income selection criteria as described herein prior to acceptance. Acceptance or denial of tenancy will be communicated in writing.

**I have read and received a copy of the RIVERTOWN APARTMENTS Tenant Selection Criteria.**

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Applicant Signature

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Date

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Applicant Signature

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Date

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Applicant Signature

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Date