

# East Village Growth Partners, LLC

## Tenant Selection Plan

Effective 10/1/14

### A. Right to Apply

No person shall be denied the right to apply for housing owned by East Village Growth Partners, LLC (the “Agent”) at 350 East Locust Street, Des Moines, Iowa. All applications must be completed in full and signed by the Applicant (as hereafter defined).

### B. Statement of Non Discrimination

The Agent:

- complies with Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance from the United States Department of Housing and Urban Development (“HUD”);
- complies with Title VI of the Civil Rights Act of 1964, which prohibits on the basis of race, color, creed, religion, sex, gender identity, handicapped status, familial status, national origin, age, marital status, or sexual orientation in any program or activity that receives federal financial assistance from HUD;
- complies with the Fair Housing Act, which prohibits discrimination in housing and housing related transactions on the basis of race, color, religion, sex, national origin, disability and familiar status;
- 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, if any;
- allows individuals with disabilities to request reasonable accommodations; and
- does not retaliate, coerce, intimidate, threaten or interfere with any person’s exercise or enjoyment of any fair housing right or take action on account of a person’s actions to aid or encourage any other person in the exercise or enjoyment of any fair housing right.

### C. Eligibility Criteria

To be eligible for tenancy, every Applicant in a Household must submit a completed application to the Agent or its manager. Every person that will reside in a unit and is eighteen (18) years of age or older is referred to herein as an “Applicant.” All persons residing in a unit are referred to herein as a “Household.” The Agent or its manager must secure third party verification of the information needed to determine an Applicant’s eligibility prior to approval for tenancy.

***Note: Eligibility does not constitute acceptance and further screening is required to determine whether an Applicant is selected for tenancy.***

Eligibility shall be determined on the following basis:

1. Project-Specific Requirements: Units that are designated for occupancy by a special needs population must be occupied by Households that meet the special needs population criteria. Units that are not designated for occupancy by a special needs population can be occupied by any Household that is otherwise eligible for tenancy in accordance with this Tenant Selection Plan. Special needs populations may include, but are not limited to, the following:



- Elderly/Senior Housing – 55 years and older, Assisted Living, 65 years and older
  - Special Needs Properties - individuals with disabilities or persons who meet criteria outlined according to HUD’s supportive housing and services program.
  - Multifamily Properties
  - HUD Multifamily Properties
  - Single Family Properties
2. Subsidy Program Requirements: Units receiving federal or state housing subsidies or utilizing low income housing tax credit and/or the HOME program must be occupied by Households that meet the criteria of such programs. The criteria may include, but is not limited to, a requirement that the Household’s income not exceed current income limits for the unit in accordance with restrictions required by lenders and/or HUD.
  3. Minimum Income Requirements: A Household’s annual income must meet affordability criteria for the unit, and each Applicant must demonstrate an ability to pay rent. A Household’s income must be no less than 30% of the gross rent of the unit requested unless:
    - The Household provides evidence that the Household is receiving Section 8 housing assistance or other subsidy resources;
    - The Household provides evidence that the Household has the equivalent of two months’ rent in the bank, and the Household’s rent to income ratio does not exceed 35%; or
    - The Household prepays a minimum of six months’ rent in advance to tenancy.
  4. Student Status: If a Household is comprised of a full time student, then such Household may be ineligible for tenancy in accordance with IRS section 42 code. For more information, please ask the Agent or its manager or consult the Student Status section in Chapter 1 of the Iowa Finance Authority Compliance Manual.
  5. Housing History and References: Each Applicant is required to provide the Agent or its manager with the Applicant’s housing history from the previous two years. If an Applicant has rental history, each Applicant is required to provide the Agent or its manager with references from the Applicant's previous landlords. The Agent or its manager may confirm with each landlord reference that: (i) the Applicant's account at such previous rental facility is current and (ii) the Applicant has no history of disturbing his or her neighbors, destructing any property, failing to have good housekeeping practices, having any bedbug infestation, using illegal drugs, being engaged in violence, or having any other problems related to the Applicant's ability or willingness to comply with the terms of the lease with the Agent. If the landlord reference does not confirm such items, the Applicant may be ineligible for tenancy.

Applicants will not be automatically ineligible for tenancy if the Applicant lacks rental history. In lieu of rental history, an Applicant must provide acceptable alternative documentation. Acceptable alternative documentation can include, but is not limited to, no evidence of poor credit history as provided in Section C(6). If the Applicant is unable to provide other acceptable alternative documentation, the Applicant will be ineligible for tenancy.

6. Credit Check: The Agent or its manager may conduct a credit check on every Applicant. If the Agent or its manager determines that the Applicant has poor credit history, the Applicant will not be eligible for tenancy. The Agent or its manager will prioritize recent credit activity over non-recent credit activity when determining whether the Applicant has poor credit history. Any credit history older than 5 years will not be considered. An Applicant has “poor credit history” if his or her credit history evidences:
  - Money owed to previous landlords, including, but not limited to, judgments for damages, unpaid rent, and unpaid utilities;
  - Judgments against the Applicant by a landlord or apartment company;
  - Unpaid utilities (Water, Gas or Electric), unless the Applicant can provide written proof from such utility company that it has been fully paid and the such utilities may be placed in the Applicant’s name;



- 6 or more delinquent outstanding accounts; or
- A bankruptcy or foreclosure proceeding within the past 5 years with exceptions for those who have fully adjudicated and/or successfully completed consumer credit counseling through an accredited credit counseling agency or as otherwise provided by law. Written proof of the completed course must be provided, if applicable.

An Applicant without credit history will not be automatically rejected for tenancy if the Applicant lacks credit history. In lieu of credit history, an Applicant must provide acceptable alternative documentation. Acceptable alternative documentation can include, but is not limited to, rental history and acceptable confirmation from the Applicant's previous landlords. If the Applicant is unable to provide other acceptable alternative documentation, the Applicant will be ineligible for tenancy.

7. Cosigner Exception: In lieu of rental history and/or credit history, the Agent or its manager may also require a cosigner.
8. Special Needs Population Exception: The Agent or its manager may allow special exceptions for Applicants in special needs populations that are referred by an approved supportive services provider if: (i) the Applicant is actively participating in the special needs care program as directed by the approved supportive services agency serving the specific project and (ii) a positive referral form has been completed on their behalf that states the Applicant:
  - is participating in transition programs available and/or required;
  - has good housing keeping habits;
  - demonstrates the ability to get along with others;
  - is able and willing to handle personal finances and budgets, either on his or her own or with assistance; and
  - is employed with enough monies to afford the rents per the following requirements, or has rental, public or other financial assistance.

## D. Screening and Disapproval of Tenancy

If an Applicant is eligible for tenancy, further screening is required to determine whether an Applicant is selected for tenancy. An Applicant may be disapproved for tenancy for any reason related to the ability or willingness of the Applicant, or a member of the Household in which the Applicant will be a member, to comply with the terms of the lease and applicable laws. In the event an Applicant is denied, the Applicant will be notified of such denial and the reasons for such denial in writing.

Examples of application denial may include, but are not limited to, the following reasons:

1. Criminal History: A criminal background check will be conducted on all Applicants, and the Agent or its manager shall have the full right, in his or her entire discretion, to determine whether such Applicant shall be denied tenancy as a result of the Applicant's criminal background check. When determining whether an Applicant should be denied tenancy, the Agent or its manager may take into consideration, in addition to other items, the number, circumstances and severity of the below referenced crimes and behaviors.
  - a. *Felony*: Applicants with a conviction, guilty plea or no-contest plea for any felony within the last 10 years may be denied tenancy.
  - b. *Misdemeanor*: Applicants with a conviction, guilty plea or no-contest plea for a misdemeanor within the last 5 years may be denied tenancy.
  - c. *Violent Behavior*: An Applicant may be denied tenancy if the Applicant's criminal background check includes evidence of acts of violence or of any other conduct that would constitute a danger or disruption to the peaceful occupancy of neighbors within the last 10 years.



- d. *Rape, Prostitution or Sexual Deviation*: An Applicant may be denied tenancy if the Applicant's criminal background check includes a conviction, guilty plea or no-contest plea for an offense of rape, prostitution, indecent exposure, sodomy, carnal abuse, impairing the morals of a minor, or a similar crime indicating sexual deviation.
  - e. *Murder or Violent Crimes Against Others*: Applicants with a conviction, guilty plea or no-contest plea for a crime involving serious injury, kidnapping, death, arson, rape, sex crimes and/or child sex crimes may be denied tenancy.
  - f. *Sex Offender Registry*: Applicants listed on any sex offender registry may be denied tenancy. Any Applicant that is subject to a state sex offender lifetime registration requirement may be denied tenancy.
  - g. *Drug Charges*: Applicants with a drug conviction, guilty plea or no-contest plea within the last 10 years may be denied tenancy.
  - h. *Pending Charges*. Pending charges of any of the above crimes may result in a denial of tenancy.
2. Record of Disturbance of Neighbors, Destruction of Property, Drugs or Other Disruptive or Dangerous Behavior: The Agent or its manager may deny an Applicant if the Agent or its manager has a record that demonstrates behavior or conduct that: (i) adversely affects the safety or welfare of other persons by physical violence, gross negligence or irresponsibility either on or off the property in which the Applicant resides; (ii) damages the equipment or premises in which the Applicant has lived; or (iii) is disturbing or dangerous to neighbors or disrupt sound family and community life (with the exception of protections under the Violence Against Women's Act of 2005). Any Applicant who is currently engaged in, or whose Household will have a person who is currently engaged in, illegal use of drugs will be denied tenancy. If the Agent or its manager has reasonable cause to believe that the Applicant, or a person who will be in Applicant's Household, is illegally using or has a pattern of illegal use of a drug or abuse of alcohol that may interfere with the health, safety and right to peaceful enjoyment of the property by other residents, the Applicant will be denied tenancy. Any Applicant who has been evicted, or has a person who will be in Applicant's Household who has been evicted, in the last 3 years from federally assisted housing for drug-related criminal activity will be denied tenancy.
  3. Grossly Unsanitary or Hazardous Housekeeping: The Agent or its manager may deny an Applicant tenancy if the Agent or its manager has evidence that the Applicant, or any person of the Household in which the Applicant will be a member, has: (i) generally created any health or safety hazard through acts or neglect; (ii) caused or permitted any damage to or misuse of premises and equipment, if such Applicant or the Household is responsible for such hazard, damage or misuse; (iii) caused or permitted infestation, foul welfare or enjoyment of any premise; (iv) deposited garbage improperly; (v) failed to use in a responsible and proper manner all utilities, facilities, services, appliances, and equipment within a dwelling unit or failed to maintain them in a good and clean condition; (vi) or any other conduct or neglect that could result in health or safety problems or in damage to the premises. In cases where a qualified agency is working with the Applicant or Household to improve housekeeping and the agency reports that such Applicant or Household shows potential for improvement, decisions as to tenancy shall be reached after referral to and recommendation by such agency. This category does not include Applicants or Households whose housekeeping is found to be superficially clean or to lack orderliness, where such conditions do not create a health and safety problem and do not result in damage to or deterioration of the premises and do not adversely affect the peaceful occupancy of neighbors.
  4. Poor Credit History: An Applicant may be denied tenancy if he or she has poor credit history, as defined in Section C(6).
  5. Insufficient Income: An Applicant may be denied tenancy if the Household does not meet the income criteria in Section C(3).
  6. Unsatisfactory Landlord Reference(s): An Applicant may be denied tenancy if his or her prior landlord reference(s), as provided for in Section C(5), provide(s) an unsatisfactory reference.



7. Unsatisfactory Application. An Applicant may be denied if he or she has not fully completed or has falsified an application.
8. Eligibility: An Applicant may be denied if the Applicant or his or her Household is not otherwise eligible for tenancy as set forth in Section C.

## E. Cosigner Policy

An Applicant that lacks credit history and/or rental history may be approved for tenancy if a sufficient cosigner executes the lease along with the Applicant. The Agent or its manager shall have the entire right, in his or her entire discretion, to determine whether such Applicant shall be granted tenancy as a result of the Applicant and cosigner's application. A credit check may be completed on all cosigners. The Applicant will be responsible for the charge associated with such credit check. The following is a list of the requirements for cosigning:

- The cosigner will need to complete a cosigner application that is provided by the Agent or its manager and provide the Agent or its manager with the cosigner's two most recent pay stubs.
- The approval of a cosigner is subject to a credit check at the Applicant's expense.
- A cosigner must show evidence that his or her income is no less than 60% of the gross rent of the unit requested.
- A cosigner may not have more than two delinquent accounts on his or her credit report.
- A cosigner must be a resident of the State of Iowa.
- A cosigner may be denied for poor credit history, as defined in Section C(6).

## F. Waitlist Policy

After initial occupancy of the units, a waiting list will be maintained for each size of unit. Each person will be placed on such a waiting list in the chronological order in which he or she applied for a unit. As vacancies occur, people on the applicable waiting list for such vacant units will be notified and, if approved, will be accepted on a first-come, first-served basis, in accordance herewith and subject to the eligibility and screening procedures set forth in this Tenant Selection Plan.

Waitlist Policies:

- Wait list shall be maintained in approved EVGP's format and existing applicant interest updated twice annually.
- People will be placed on waitlist in chronological order for the property(s) for which they are applying for.
- All information placed on the waitlist will include: Name, Date/Time, Phone Number, Address, Unit type requested.
- People on the waitlist will be notified when units come available that meet the specified criteria they requested. This notification will be done in writing allowing 10 business days to respond. If no response or letter is returned then such person will be removed from waitlist.

Persons with disabilities may be accepted for units equipped for disabilities prior to individuals that do not request an accommodation.

If a person is removed from the waiting list and subsequently the Agent or its manager determines that an error was made in removing the person, the person must be reinstated at the original place on the waiting list.

During the time of a dispute, units may be leased to the next available qualified person. If a previous decision is overturned and units are not available, the successful disputed person will be placed back on the waitlist for the



next available unit. All disputes will be addressed within 10 days of receiving letter from a person. At any time a person can reapply for tenancy.

## **G. Grievances**

All disputes concerning ineligibility and screening for tenancy must be submitted in writing within 14 days of receiving a letter of denial from the Agent. All disputes can be mailed to:

Director of Property Management  
East Village Growth Partners, LLC  
2404 Forest Drive  
Des Moines, IA 50312

