

# Osage/Thunderbird/Nest Apartments

## Resident Selection Criteria

Interstate Realty Management and The Michaels Organization supports The Fair Housing Act as amended, prohibiting discrimination in housing based on race, religion, sex, national origin, or familial status. The following qualification standards will be required from every prospective resident. They include but are not limited to:

**Identification:** All Visitors must present a valid driver's license or government issued photo ID in order to view the community. Other acceptable forms of ID are: valid state issued ID card, valid military ID card, or a valid passport.

**Deposits and Fees:** Deposit and application fee due at time of reservation of residence.  
\$500.00 Security Deposit \*  
\$300.00 non-refundable pet fee (due at move-in)  
\$50.00 per month pet rent (if applicable)  
\$17.00 non-refundable application fee per applicant over 18 yrs. old

\*Refunded within 7 working days if denied

**Renter's Insurance:** All renters are encouraged to carry renters insurance with a suggested minimum of \$100,000 in liability coverage

**Xcel Account:** All renters are required to have electric services transferred into their name prior to move-in.

### **Qualifying Standards**

**Rental History:** Up to 24 months rental history may be verified on present and previous residence. A positive record of prompt monthly payment, sufficient notice with no damages is expected.

**Credit History:** An unsatisfactory credit report can disqualify an applicant from renting an apartment home at this community. An unsatisfactory credit report is one that reflects past or current bad debts, late payments, or unpaid bills, liens, judgments or bankruptcies. If an applicant is rejected for poor credit history, the applicant will be given the name, address, and phone number for TransUnion, who provided the credit report (but not be told content of the credit report). An applicant rejected for unsatisfactory credit is encouraged to obtain a copy of the credit report from TransUnion, correct any erroneous information that may be on the report, and resubmit an application to this community.

**Exclusions:** Medical debts, negative education loans, paid collections, individual collections under \$75.00, discharged bankruptcies, and if the applicant has total remaining negative debt of less than \$500.00.

**Income:** Applicants must make two and one half (2.5) times the monthly rent amount or higher. Written verification of income is required (i.e. current original pay stubs, most recent tax return, bank statements, employment contract, etc.).

**Co-Applicant Criteria:** Income requirements based on applicants combined income, and any non-discharged bankruptcy, money judgment or criminal denial for either applicant will disqualify the group.

**Denial Factors:** Any non-discharged bankruptcy, two (2) or more misdemeanors or higher within five (5) years, any felony, unsatisfactory credit report, unsatisfactory income.

Prepared July 21, 2016  
RE: HUD Office of General Counsel Guidance, April 4, 2016

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Criminal Background Screening & Disparate Impact. Notwithstanding any provisions contained in this *Plan*, the following shall apply to the use of criminal background records as selection criteria for residency in this community. In the event of any discrepancy between this section and any other provision or section of this *Plan*, the statements contained within this section shall prevail.

1. Records of arrest not resulting in conviction shall not be considered to the exclusion of the applicant.
2. Recorded convictions shall be considered on a case-by-case basis to the extent that exclusions shall be considered only for those offenses demonstrating a risk to resident safety and/or property. To this end, an Individualized Assessment (IA) shall be prepared for any applicant facing potential exclusion, and such IA shall be contemplated prior to any final decision. Factors reflected in an IA include:
  - a. The age of the individual at the time the criminal conduct occurred
  - b. The amount of time which has lapsed since the criminal conduct occurred
  - c. The quality of the applicant's tenant history since the criminal conduct occurred, or since the conclusion of incarceration
  - d. Evidence of any rehabilitation efforts
3. In case-by-case considerations, this community shall not discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, disability, familial status, and/or any other protected class applicable to the city and state in which the housing is located.

_____	_____	_____	_____
<b>Applicant Signature</b>	<b>Date</b>	<b>Applicant Signature</b>	<b>Date</b>

_____	_____
<b>Management Rep. Signature</b>	<b>Date</b>

An asset disposed of for less than fair market value is included in all certifications effective during the two years after the asset was disposed of. The value included on the TIC for a disposed of asset is the difference between the cash value of the asset and the amount actually received for it.

Assets disposed of for less than fair market value can be either family or business assets. Examples include:

- cash gifts,
- real estate, and
- stocks, bonds, and other investments.

**3.28 Full Time Student Rule: IRC Sec. 42(i)(3)(D), IRC §141(c)(4), IRC §170(b)(1)(A)(ii), Treasury Regulation §1.151-3(b)**

**A. Full Time Student Rule (with Five Exceptions)**

A household comprised entirely of full time students is ineligible to occupy a tax credit unit **unless** one or more of the following criteria is met. When one or more of these exceptions is used to qualify the household, management must obtain verification.

**For Individual Residents:**

1. The student receives assistance under Title IV of the Social Security Act, also known as Temporary Assistance to Needy Families (TANF);
2. The student is enrolled in a job training program receiving assistance under the Workforce Investment Act (formerly known as the Job Training Partnership Act) or under a similar federal, state, or local program;
3. The student was previously under the care and placement responsibility of the State agency responsible for administering a plan under title IV of the Social Security Act (i.e., Foster Care);<sup>6</sup>

**For Households Comprised Entirely of Full Time Students:**

4. The students are a single parent with children, and the parent is not a dependent of another individual, and the children are not dependents of anyone other than a parent. The household qualifies if either parent claims the children as dependents for tax purposes, regardless of

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<sup>6</sup> The Housing and Economic Recovery Act of 2008 (HERA)

whether or not the parent claiming the dependents resides in the unit;<sup>7</sup> and/or

5. The students are married and eligible to file a joint tax return.

**B. Change in Status to Non-Qualifying Student Household**

The following households do not qualify to occupy a tax credit unit:

- a full time student household that previously met one of the above exceptions ceases to meet an exception; or
- a previously non-full time student household becomes comprised of all full time students and does not meet one of the above exceptions.

The change in status results in noncompliance.

**C. Full Time Student Definition, Certification, and Verification**

The LIHTC program defines a "student" as an individual who is enrolled in an educational organization during at least five months in the calendar year. An educational organization includes: kindergarten, elementary, junior and senior high schools, colleges, universities, technical, trade and mechanical schools. Regarding the time period of enrollment, the five months need not be consecutive. Enrollment at any point in a month (e.g., just one day) counts as enrollment during that month. For example, a student enrolled between January 21 and May 12 has been enrolled for five months per IRS guidance.

A Certification of Student Status must be completed by all household members age 18 years and older at move-in and annually thereafter. For households comprised entirely of students, at least one of whom states they are part time, management must obtain a Verification of Student Status directly from the educational organization to confirm whether the student is full time or part time. A student's status is always determined by the educational organization, not by the owner or the resident.

**3.29 Section 8 Voucher Holders; IRC §42(h)(6)(B)(iv)**

Applicants who are holders of Section 8 Housing Choice Vouchers may not be rejected from admission to tax credit projects solely for their status as voucher holders. If minimum income standards are used as part of the applicant screening criteria for a development (for example, requiring an applicant to make three times the rent), the total tenant payment, rather than the contract rent, for voucher applicants must be compared to the income standard.

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<sup>7</sup> Mortgage Forgiveness Debt Relief Act of 2007 (HR3648)