

**San Antonio Place  
Tenant Selection Criteria  
March 23, 2009**

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*It is the objective of San Antonio Place to provide decent, safe, and sanitary housing at a reasonable rent for those who can demonstrate an ability to pay the rent, protect and care for persons and property, and be responsible for themselves and their guests. To ensure that Residents are selected fairly, their qualifications for tenancy will be determined by evaluating their demonstrated performance, current financial status, and attitude towards living in a close community.*

**1. WHEN AND HOW DO YOU APPLY FOR AN APARTMENT?**

- a) **Outreach:** It is the responsibility of the Property Manager to make appropriate outreach efforts as required by the different regulatory agencies involved with the housing opportunities at San Antonio Place. Outreach efforts may be changed by those regulatory agencies without prior notice.
  
- b) **Applications and Application Fee:** All applications must be complete to be considered. The completed application should be **personally delivered to** the rental office at **San Antonio Place, 210 San Antonio Circle, Mountain View, CA** with a photo ID and Social Security Card or Tax ID along with a **money order in the amount of \$30.00 for each adult applicant** (*our actual cost is \$11.00 for credit / UD check and \$16.00 per county for Criminal History check plus administrative costs*) which is non-refundable once the processing of the application has begun. Social security cards or Tax IDs may be submitted after the initial applications but must be submitted prior to approval for tenancy. No application can be accepted without photo ID. There is no application fee for McKinney units. Any fees collected in error will be credited to the approved applicant's first month rent or refunded at the applicant's request. Once all units have been filled, any application fees collected for applications that have not started being processed will also be refunded. No application fee will be accepted when a unit is not available.
  
- c) **Waiting List:** There will be one waiting list for each income level. The Waiting List includes those persons that have completed an application, during the application period. No more than thirty (30) names will be allowed on each Waiting List (except in the initial rent up where all those who complete an application and are not processed will be added to the list). Once the limit has been reached the waiting list will be closed and a notice closing the list will be posted on the entry door of the rental office. It is important that everyone has an equal opportunity to submit his or her application, and therefore, no one, other than the City of Mountain View, will be given advance notice of when the Property Manager will open the Waiting List. The City of Mountain View will be provided 10 days advance notice in order to have material translated to other languages for outreach to non-English speaking and other hard to reach groups. Public notice in the San Jose Mercury classified section will be made at least one week before opening the waiting list to the public. A 2" x 2" display ad will also be placed in the Mountain View VOICE or other paper approved by the City of Mountain View. In addition, the project will notice the Housing Choices / San Andreas Regional Center, Community Services Agency, Catholic Charities Shared Housing Program, Health Connections, Focus for Work, and the Silicon Valley Independent Living Center. All applicants on the waiting list are required to check in with the Resident Manager every 180 days (or sooner if there is a change of address or telephone number). **An applicant's failure to check in with the Resident Manager will result in their name being removed from the Waiting List.**

- d) **Transfer List:** The transfer list includes those Residents who require a transfer for reasons of reasonable accommodation under Fair Housing Laws. See “Transfer Policy” for further information.
- e) **Application Period:** Applications will only be accepted when the Waiting List is open, as specified by the Property Manager. The chronological order will be determined by a lottery drawing (subject to the City of Mountain View preference and order of selection listed below), which will be held in the rental office within one business day of closing the application period. Only those applicants that have submitted complete applications will be entered in the lottery. For further information see “Waiting List Procedure”.
- f) **Notice of Available Unit for the Waiting List:** For each unit that becomes available the Resident Manager will telephone and / or mail a “Notice of Available Unit” to the next three (3) names on the Waiting List.
- g) **Preferences:** Preference, subject to unit availability of units, is given to anyone with the following verifiable preferences:
- i) Those who have lived in the City at least six months or have worked in the City at least six months and are still living or employed in the City.
    - a) Verification of residency shall be made by providing at least two pieces of acceptable evidence, including but not limited to the following items and other appropriate evidence subject to City approval:
      - (1) Lease agreement verifying residency for at least six months.
      - (2) Copies of utility bills (electric, water, or gas) for the past six months.
      - (3) Federal tax return form from at least six months ago.
      - (4) Drivers license if at least 6 months old
    - b) Verification of employment shall be made by providing the following:
      - (1) A letter on company letterhead from the personnel director (or equivalent position) stating the starting date of employment, the position title and whether the position is full-time, part-time, temporary, contract or other, and the number of hours of employment.
      - (2) Copies of check stubs for the past six months.
      - (3) If employment is a contract position, a copy of the employment contract.
- h) **Special Needs:** forty two units have been set aside for the following persons with verifiable special needs:
- i) Developmentally disabled households (approx 30% of special needs units)
  - ii) Homeless and disabled (10 units of McKinney – 8 households of at least one adult and 2 single parent households)
  - iii) Households with HIV / AIDS (approx 10% of special needs units)
  - iv) Households with mental disabilities (approx 10% of special needs units)
  - v) Single parent households (approx 20% of special needs units)
  - vi) Households with physical disabilities (approx 10% of special needs units)
    - a) Documentation must consist of the following:
      - (1) Written referral by any of the following agencies is considered sufficient documentation of the above preferences:

- (a) Catholic Charities Housing Services, Catholic Charities Focus for Work, Health Connections, Silicon Valley Independent Living Center, Mountain View Community Services Agency, Next Door Solutions to Domestic Violence and Housing Choices /San Andreas Regional Center

OR

- (b) An original signed letter, on letterhead, from a qualified professional in the appropriate area of expertise. For HIV / AIDS households, referral from Health Connections is required.

i) **Order of Selection**

- i) Current residents on the transfer list in chronological order
- ii) Waiting List applicants with City of Mountain View preference per their order in the lottery. (If only a special needs unit is available, it will be offered to the first listed special needs person with a Mountain View preference).
- iii) Waiting List applicants with special needs only provided that a special needs unit is available, per their order in the lottery.
- iv) Waiting List applicants without Mountain View preference(with or without special needs), per their order in the lottery.

j) **Project Based Section 8 Units**

- i) Only citizens and eligible non-citizens may occupy Section 8 units
- ii) The Mountain View preference and special needs priority do not apply as those on the Housing Authority list have preference
- iii) If there are no eligible individuals on the Housing Authority list, referrals to the Housing Authority will be made from the waiting list applicants 30 days after the vacancy has first been advertised by the Housing Authority and each applicant must be approved by the Housing Authority after they have been approved by San Antonio Place.

- k) Included in the 42 special needs unit, are 10 Supportive Housing Units, called "McKinney" units. These units have no minimum income requirements and accepted tenants will pay 30% of their adjusted income for rent. To be eligible for a McKinney unit an applicant must be homeless and disabled and provide supporting documentation of their status with their application. This is a HUD program and no application fees are required. 8 units are for single adults and 2 are for 2 person households.

- l) **Ten Days to Respond:** The three (3) applicants on the Waiting list will be given ten (10) days, from date of mailing, or date of phone call to respond. **Those not responding within ten (10) days, from the date of mailing, or date of phone call will be removed from the Waiting List.** It is the applicant's responsibility to furnish sufficient information within the deadlines set by management.

- m) **Declining An Available Unit:** Applicants receiving the "Notice of Available Unit" may choose to decline the unit within ten days of receipt of the notice and have their name remain on the waiting list in it's original place. However, applicants who decline a second time (upon receipt of a "Notice of Available Unit") shall have their names removed from the waiting list.

- n) **Interview Required:** When units are available, qualified applicants based on income, and preliminary screening criteria will be scheduled for interview. The following items and information must be brought to the interview:
- i) A photo identification such as Drivers License or California ID
  - ii) Social Security Card or an Individual Tax Payer Identification (ITIN) card for each household member (ITINs are not acceptable for Section 8 units)
  - iii) Income and Bank Account documentation
- o) **Written “Notice of Disqualification”:** Any time an application is disqualified the applicant(s) will receive that reason in writing.
- p) **Accepting an Available Unit:** Applicants who are approved for tenancy must take possession of the unit within five days of receiving written or verbal notice of acceptance unless the Property/HUB Manager makes an exception. Project based Section 8 applicants are required to use due diligence to expedite approval by the Housing Authority. This includes attending all required meetings and prompt submission of any and all documents requested by the Housing Authority. Those who fail to do so will be disqualified and their name will be removed from the waiting list. Before their application is sent to the Housing Authority they must sign an agreement that they will take the unit within 5 days of being approved by the HA
- q) **Appeal Process:** Anyone who does not agree with the disqualification notice for any reason may appeal the decision by writing an appeal to the Property Manager or by requesting a meeting with the Property Manager. The property manager will respond in writing within five business 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 “Notice of Applicant Disqualification” has been mailed out.** However, should the Property 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. **Applicants that are disqualified from tenancy shall have their names removed from the waiting list.** However, any disqualified applicant may re-apply for tenancy, without prejudice, at such time as the waiting list is re-opened. (See Appeal Policy)
- r) **Disclaimer:** No household, or person, is guaranteed a unit by being accepted on the Waiting List. Since there are no pre-qualification requirements, Management will only be able to qualify, or disqualify, a household or person, after all verifications are completed and returned, along with credit, UD, Criminal background and landlord investigations. **An applicant should review this “Tenant Selection Criteria” and determine for themselves if they may qualify and wish to apply.**
- s) **Nondiscrimination:** San Antonio Place is an equal housing provider. It does not discriminate on the basis of race, religion, color, creed, national origin, age, sex, disability, familial or marital status, source of income (e.g. TANF, SSI), or sexual orientation in the rental, lease, use or occupancy of the Project, or in connection with the employment or application for employment of persons for the operation and management of the Project. Requests for reasonable accommodations under Section 504 of the Rehabilitation Act of 1975 and / or the Fair Housing Act must be in writing and should be addressed to the Property Manager.

**2. THE FOLLOWING INCOME AND OCCUPANCY TABLE APPLIES TO ALL APPLICANTS EXCEPT SECTION 8 AND MCKINNEY UNITS:**

# Units Income	Monthly Rent	<u>Maximum</u> Income Levels	% Area Median
		<b>1 person / 2 persons</b>	
12 units	\$250 per month*	\$11,145/\$12,735**	15% of AMI
24 units	\$345 per month*	\$14,860/16,980**	20% of AMI
41 units	\$620 per month*	\$26,005/\$29,715**	35% of AMI
41 units	\$771 per month*	\$33,435/\$38,205**	45% of AMI

**Minimum Income Limits:** Section 8 / McKinney units: No minimum income is required. Rent is calculated per HUD Manual 4350.3 at 30% of adjusted income. The minimum income for the other units is that rent may not exceed 50% of gross income

**Occupancy Standards:** Maximum of 2 persons per unit

**3. TENANT SELECTION CRITERIA:**

Processing an Application Includes: *Credit Investigation, Unlawful Detainer Report, Landlord References, Criminal Background Investigation, Employment or Income Verification, and Verification of Preference(s).*

- a) **A Credit Report** will be processed. An applicant will be disqualified if they receive a report of derogative credit. Derogative credit is defined as a credit rating score of less than 70 points. Credit is evaluated as follows:

**All applicants begin with 100 points. Passing is 70 points or higher. Points are deducted as follows:**

Current collection accounts:	less than 3 years old: subtract 10 points
Old collection accounts:	more than 3 years old: subtract 5 points
Late payments:	subtract 5 points
Public records - unpaid debt	subtract 5 points
Unrated accounts:	subtract 2.5 points
Negative trade accounts:	subtract 5 points
Charge off:	subtract 5 points
Tax Liens	subtract 5 points

An exception may be made for unpaid medical expenses if all other credit accounts have been paid as agreed. Exceptions may only be approved by the Property Manager.

- b) **Unlawful Detainer Report:** An unlawful Detainer Report (U.D.) will be processed through the U.D. Registry, Inc. An applicant will be disqualified if they have been evicted from any prior residence, for any reason.
- c) **Landlord References:** The purpose of verifying landlord references is to determine if the applicant has demonstrated an ability to pay rent on time and to meet the requirements of tenancy. **In order for a landlord reference to be acceptable, the tenancy must have been for a duration of at least twelve (12) months, and the landlord must have an “arms length” relationship with the applicant.** Household members and/or personal friends are not an acceptable landlord reference. An exception may be allowed for an applicant

who has been paying market value rent for the past year or more, and can substantiate it with canceled checks, or other acceptable documentation. Current landlord references will be checked. In cases where the applicant has lived at their current address for less than one (1) year, prior landlord references may also be checked. A negative landlord reference, by itself, is grounds for denial.

- d) **Criminal Background Investigation:** A criminal background investigation will be performed by Kroll Background America, Inc. on each applicant. As criminal background checks are done county by county, the manager will select all counties which come up on the credit report, landlord references, and employment history. Applicants will be disqualified for tenancy if they have been convicted, in the last 7 years, of any of the following:
- i) Any felony
  - ii) Assault and Battery
  - iii) Resisting Arrest
  - iv) Weapons Possession
  - v) Theft
  - vi) Sex Crimes
  - vii) Rape
  - viii) Molestation
  - ix) Spousal Abuse
  - x) Fraud
  - xi) Computer Crimes
  - xii) Child Endangerment
  - xiii) Drugs
  - xiv) Disturbing the Peace
  - xv) Kroll Background Background America, Inc. will check the Sex Offender Registry. This is a search of a State's registered sex offenders. As per the requirements from the City of Mountain View, any applicant whose name is listed as a registered sex offender will be disqualified regardless of when the incident occurred.
- e) **Employment / Income:** Employment and/or other income are verified to ensure that the applicants' income falls within the income guidelines listed above. In the case of Section 8 units it also determines the applicants' portion of the rent.
- f) **Preferences:** The City of Mountain View preference must be documented as per paragraph 1.g. If it is determined that the applicant does not qualify for the claimed preference, the applicant's name will be returned to the bottom of the non-preference waiting list.
- g) **Disclosure of Social Security Numbers:** Applicants must disclose SSN or Tax ID Number in order to make an eligibility determination. The head of household/spouse/co-head must disclose SSN/ITIN for all household members at least six years of age and older within three business days from the date of the initial interview. If no SSN/ITIN has been assigned to a particular household member, the applicant must sign a certification stating that no SSN or ITIN has been assigned. The funding sources for San Antonio Place exclude illegal immigrants from eligibility in this property.
- h) **Other Reasons for declining an applicant:**
- i) 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, blatant disrespect, disruptive, or anti-social behavior towards property, other residents, or management at any time during this process or in the past three years.
- ii) No pets are allowed. This policy does not apply to service and / or support animals
- iii) An applicant must complete all the forms requested in a timely manner or be automatically passed over for the next applicant in chronological order, unless the Resident Manager gives the applicant an authorization in writing for more time. Three (3) full business days, from the time the information is requested, will be considered adequate time for the applicant to complete and return the requested information. The applicant passed over will remain the next person in chronological order until they provide the information. After 30 days, this application must be referred to the Property Manager for disposition.

i) **Exceptions:**

- i) All exceptions to these policies and procedures must be approved by the Property Manager, in writing, in order to be honored. Where errors are made by the Resident Manager administering these policies and procedures, the file must be submitted to the Property Manager for disposition.
- ii) The Resident Manager will submit all requests for exceptions to the Property Manager, by facsimile, and a return response will be within three work days.
- iii) Any written response from the Property Manager may be copied for the applicant.
- iv) The most commonly approved exceptions are listed below:
  - a) Any household or person with a bankruptcy.
  - b) No credit may not be declared bad credit. If a household pays all bills in cash, and can demonstrate this fact, then no credit, may be classified as good credit.
- v) Additional exceptions will be made as regulatory agreements may require.

**Continuing Compliance:**

Once a person has been accepted for tenancy, they will be required to re-certify income and assets annually. This process absolutely must be completed prior to the anniversary date of move-in, or a notice to vacate will be issued.

***I have read and received a copy of the San Antonio Place Tenant Selection Criteria.***

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date